INDEXED

THE LOUISIANA HISTORICAL QUARTERLY

Vol. 24, No. 4 OCTOBER, 1941

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THE LOUISIANA
HISTORICAL QUARTERLY

Vol. 24, No. 4 OCTOBER, 1941

LETTERS OF JAMES BROWN TO HENRY CLAY, 1804-1835

Edited by JAMES A. PADGETT

INTRODUCTION

Henry Clay spent most of his mature life in public office, consequently his papers are very valuable as well as informative and interesting. The main collection of his papers in the Library of Congress, covering the period from 1800 to 1852, are bound in twenty-seven large volumes. His dispatches while Secretary of State fill seven volumes. In addition to these papers one finds many letters to and from Clay in the papers of such men as Jefferson, Madison, Monroe, Jackson, Guillaume Tell Lauvellée Poussin, French Minister to the United States, and many others. There are six pieces about his duel with Humphrey Marshall.

These letters cover a great variety of subjects, both foreign and domestic, and give much valuable information on political, social, and economic conditions during the first half of the nineteenth century. As these letters were written before men lost the art of letter-writing, many of them were well written and display much ability. James Brown's letters are very difficult to read for he wrote very fine and rapidly, consequently many of his letters are not well formed; but from the context and excellent grammatical construction most of them can be read without a glass.

The letters here printed are from the Clay Papers, Library of Congress. For a brief account of the life of James Brown see James A. Padgett, editor, "Some Letters of James Brown to the Presidents of the United States," in *Louisiana Historical Quarterly*, January, 1937.

TEXT OF THE LETTERS

Frankfort, April 30, 1804

Dear Sir

Inclosed is a Bill on which I wish you to commence suit in the Genl Court and foreclose the Mortgage Mr. John Berkley is interested and will Correspond with you on the subject. The whole of the fees you will charge as I have received nothing.

Among the papers of Bickham and Reese see Bundle of Letters & federal Court papers, you will discover a Bond due them from Wm Craig[1] & Wm Bell[2] of Scott County. Craig is dead. I commenced suit sometime ago but found I had made the wrong party admr and was obliged to take back the work. I am today informed that John Craig and Elijah Craig[3] sons of Toliver Craig[4] Admr on Wm Craig's estate. Will you be so good as to commence immediately and explain to Mr Reese the cause of the delay.

I ordered suit for Bickham and Reese against Robert Caldwell of Madison Case Dam—$2000 on an acct. He procured me about 400 Dollars and promised to pay the ballance if I would wait till April. He has not paid. Give him no further time. Of the 400 Dollars I have given Mr Leavy a draft to be paid in Ph'a for $200. I wish Mortons 120 applied the same way and Doctor Brown will pay 30 more leaving 50 for the management of their business.

If you have management address or influence to settle with Mansell you will oblige me if it can be done *at a loss.* I wish to leave (illegible) no man in Kentucky dissatisfied with my conduct

---

[1] William Craig was one of the first justices of the peace appointed by the Governor of Virginia for Kentucky. Thirteen men were appointed for this district. He helped hold on January 16, 1781, at Harrodsburg, the first court that was ever held in Kentucky. This was Lincoln County, which county William Craig represented in the legislature in 1815.—Collins and Collins, *History of Kentucky*, II, 468, 475, 776.

[2] William Bell sat in the Kentucky Legislature in 1814.—Collins and Collins, *History of Kentucky*, II, 281, 312, 640.

[3] In 1797 Elijah Craig with Joseph Craig owned one of the eight retail stores that paid taxes in Frankfort. He was a minister, ardent, pious, untiring in zeal, of indomitable energy of character, well-balanced, intellectual, vigorous, and fitted into the rough state of society. This Baptist minister built at Georgetown the first paper mill in Kentucky with the assistance of some partners known as Parkers and Company. It was begun in the summer of 1791 and by March, 1793, it was making paper. It was sixty by forty feet, with stone basement, with two and a half stories of wood above that. No nails were used in the construction of the building, for it was put together with oak pins. The mill dam had been erected in 1789. In this paper mill the first paper was made in the West and the work was done by hand. The mill continued to operate until 1836 when it was destroyed by fire. On December 22, 1798, the legislature granted him permission to establish a ferry across the Kentucky River at East Frankfort. On January 28, 1798, he advertised the opening of a school taught by Jones and Worley in Fayette County.—Collins and Collins, *History of Kentucky*, I, 407, 417, 516, 542.

[4] Toliver Craig and others settled in 1797 at several points east and north of Scottsville, in Allen County. He served in the house of representatives in 1795, 1797 and 1800.—Collins and Collins, *History of Kentucky*, II, 34, 697.

in pecuniary matters. Do not value fifty or a hundred Dollars for the sake of having me off the Dockett.

Wishing often to hear from you, and most fervently praying that you and your much beloved wife may have your measure of felicity filled to the brim,

I am Dr Sir Your aff'te friend

JAMES BROWN

Henry Clay Esq'r
Bickham &c
To Craig & Caldwell

New Orleans March 12, 1805

Dear Sir

I received two mails ago your very acceptable favor of the 28th of January and should sooner have answered it but for the pressure of business arising from two courts in Session at the same time. I rejoice at every assurance I receive of the health and happiness of a family to whom I feel every attachment which a consciousness of their worth and a recollection of their friendship can inspire. The hope of a rapturous meeting with you shortly consoles me under an absence which without the delightful expectation would be insupportable. With the young portion of my relations I feel confident of an interview, but poor old Colo. Hart[5] Father in law of Mr Brown & Mr Clay—Am I never to see him again! He frightened me by the very circumstance which he mentions as flattering to his hopes of long life. He informs me that his weight has increased twenty three pounds since his return from the Springs. I consider this as an unfavorable omen, but will feel perfectly relieved from all apprehensions if he survives the month of March.

My success as a Lawyer continues to be flattering and if the change in our government contemplated by Congress does not

---

[5] Colonel Thomas Hart at an early day emigrated from Hagerstown, Maryland, to Lexington, Kentucky, where he as well as most of his descendants resided. Henry Clay and James Brown married two of his daughters, and his son, Captain Nathaniel G. T. Hart, became a noted lawyer of Kentucky. In the autumn of 1774 the Transylvania Company was formed by Colonel Henderson of North Carolina and eight others, among whom were Thomas, Nathaniel and David Hart. Henderson's report shows a letter, dated Boonesborough, June 12, 1775, to his co-partners in the Transylvania Company, and it was to the three Hart brothers and five others. These three brothers were with Henderson in settling Kentucky, as a part of his company, and they helped establish the colony of Transylvania. They were men of no ordinary character, and of great energy and decision. Nathaniel Hart was killed by the Indians in August, 1782. Thomas Hart served in the provincial congress of North Carolina in 1778, became a Revolutionary officer later, and was a great force in opening up Kentucky. The opposition to the government of Transylvania discouraged the proprietors.—Collins and Collins, *History of Kentucky*, I, 512, 514, 518; II, 326, 333, 496, 512.

obscure my prospects, I hope to acquire the means of a genteel support in a few years independent of my profession. My knowledge of two or three of the modern languages has saved me from ruin, or what was as bad, a resort to Kentucky for the means of support. I stand at the head of my profession and am employed in every important case, whilst Lawyers of respectability who cannot speak French or Spanish are left without the means of a decent support. In a few months our Courts will close and I shall retire to a beautiful farm I have purchased about 24 miles above the City. This Tract has 150 acres of cleared land, and a house 75 by 40. I have some thought of persuading your neighbor Maj'r Wagnon[6] to come down and become my tenant. The Stage stops there. The stand is excellent for a public house, and six or eight of the genteelest families in Town would join me in spending four or five months during the sickly season at that delightful retreat. If he moves he ought to be here by the 1st of June or sooner if possible. You may sit down and tax your fancy to the extent of her power which I know are fruitful and she cannot create such a Country as borders on the Mississippi.

I am happy to find my friend John Clay so completely cured of every wild and extravagant idea as he is at this time. His steady habits, industry, and obliging temper are gaining him many friends, and I beg of you to use your influence to gain him the confidence of the people of Lexington. I think they will find him every thing they can wish.

I am happy that the Bank has had the means of resisting the attacks of that unprincipled demagogue Grundy,[7] and of defeating the villainous speculators of that set of rascals who

---

[6] Thomas P. Wagnon of Kentucky became ensign, July 26, 1814; third lieutenant, October 1, 1814; and was honorably discharged, June 15, 1815.—Francis B. Heitman, *Historical Register of the Officers of the United States Army*, I, 993.

[7] Felix Grundy (September 11, 1777-December 19, 1840) was born in Virginia, but removed to Pennsylvania in 1779 and to Kentucky in 1780. He studied under his mother and then under Dr. Priestly in Bardstown Academy. He read law under George Nicholas; served in the constitutional convention of 1799; was in the legislature from 1799 to 1806; introduced the bill that established the circuit system and helped push it through the legislature and over the veto of the governor; and had with Henry Clay in 1802 a noted argument over banks and banking. He became a judge of the supreme court in 1806 and chief justice in 1807; but resigned and moved to Nashville, Tennessee, in the winter of 1807-1808, where he became a noted criminal lawyer, appearing as counsel for the defense in 105 capital cases, with only one execution. He was elected to Congress in 1811 and 1813, but resigned in 1814; and was in the legislature of Tennessee in 1819, where he opposed the relief laws for the Bank of Tennessee; was on the committee in 1820 to determine the boundary between Tennessee and Kentucky; was elected to the United States Senate in 1829 and again in 1832-1833, after a long contest; became Attorney General in 1838, but resigned in December, 1839, having been reelected to the Senate; and he strenuously opposed all tariff except for revenue purposes. He was buried in Nashville.—Appleton, *Cyclopaedia of American Biography*, III, 7-8.

have fattened under the auspices of Morrisons[8] office. Mansell was originally destined for the Gallows and nothing but a premature death will disappoint him of the pomp of an execution.

It gives me real pleasure to hear from every quarter that you stand in Kentucky at the head of your profession. May you soon grow rich and be (illegible) able to retire from a profession the duties of which are too severe in that inclement (illegible) for the most robust constitution. My retreat from your state saved my life. One winter more would have fixed upon me a confirmed Consumption. Here I have renewed my youth.

Nancy[9] has written to Lucretia.[10] She enjoys good health, good spirits, and as you may suppose the esteem of all who Know her.

Let me hear from you more frequently & believe me your most sincere friend.

JAMES BROWN

Henry Clay Esq'r
James Brown 1805 22 17th Bundle To use
Henry Clay Esquire Lexington
Lexington Kentucky By mail

New Orleans Oct'r 31, 1805

My dear Sir

I received your very agreeable letter two posts ago, and should have answered it immediately had not the bustle of returning to Town, the trouble of re-establishing myself, and the pressure of business postponed during my stay in the Country prevented me from performing my inclinations. My letters from my retreat on the Coast must have from time to time assured my friends of the health and happiness which were enjoyed by my fellow adventurer and myself during the summer months. On our return we found our friends healthy, and happy to see us,

[8] Colonel James Morrison was born in Cumberland County, Pennsylvania, of Irish parents, and, after serving six years in the Revolutionary army, he opened up a business in Pittsburgh, where he later became sheriff of the county. In 1792 he moved to Lexington, Kentucky, where he became land commissioner, member of the legislature, supervisor of revenue, naval agent, contractor for the Northwest army, quartermaster-general in the War of 1812, and president of the Lexington branch of the Bank of the United States. He was chairman of the board of trustees of Transylvania University, became very wealthy, was a great contributor to the welfare of his country, and a very valuable citizen of Kentucky. He had great strength of character, native talent and personality, was gentlemanly but stern. He died on a visit to Washington City, April 23, 1823.—*Biographical Encyclopaedia of Kentucky*, 108.

[9] Wife of Brown and daughter of Thomas Hart.

[10] Wife of Clay and daughter of Thomas Hart.

and hope, if exempted from accidental and violent death to remain safe until the next season. In fact my opinion is that the Island of Orleans is as healthy as the County of Fayette and more favorable to longevity. You are too young as yet to feel any inducements to establish yourself here founded on the latter consideration, and I am happy to hear that your own health and that of your family has greatly improved during the last year. On all hands it seems agreed by such of your country men as visit us that you are at the head of your profession, and are rapidly growing rich. Indeed some accounts assure us that you are acquiring money "as fast as you can count it". All that I can infer from this is that you are doing *extremely well* for I have long been sensible that the public rumors respecting the growing purses of Lawyers were, like most other reports, subject to a great exageration.

Mr Leavy requested me to collect from Bickham & Reese an account amounting to about £400 Pen'a Currency. Mr Caldwell in part payment assigned an Execution against French & Stone & perhaps Evarts, then inssined [unissued?], but which was paid to me and delivered up to the parties. The amount might be 200—300—or 400 Dollars. I paid it to Leavy before my leaving that County as will appear by his book, by his receipt among my papers or by my check book at Bank. Upon the account I ordered sent Ag't Caldwell before leaving Kentucky, at the office of Tunstall[11] as you may see by my memorandum—and Caldwell always told me that his defence would be that he had left at the War Office for Bickham & Reese certain Militia charges Muster rolls and accounts which they had neither collected nor returned and for which he thought he ought to be credited. Mr. Leavy can explain every word of this affair to your satisfaction as at present I speak only from memory.

Smith's account struck you and I do not wonder at it. However he is *my relation* & as it is the last of the kind which he can present it shall be settled. But why impress it into the affair of Stockaker? He must pay the debt—it is upon an execution. Mr. Jordan's statement on his own account is correct but I have a long account which relates to the estate of my poor friend Leitz which I expected to settle here which I hope Jordan will adjust. I shall send it and Mr Jordans due Bill for $160 which was given me on

[11] Thomas Tunstall was a resident property holder in Frankfort, Kentucky, in June, 1797, and listed a wagon for taxes.—Collins and Collins, *History of Kentucky*, I, 407.

account of money lent by me to Mr Leitz & which I pray you to adjust. Mr Tho Hughes[12] is *an honest man*, and although I do not remember to have been indebted yet I pray you to pay him out of my monies in the County. My answer in Devan's case with Kenton[13] was, long before leaving Kentucky sent to Adam Beatty who acknowledged the receipt and promised attention to it.

I wish my friend that I possessed some means of returning to yourself and Doct'r Brown[14] more substantial expressions of my gratitude for your attentions to my interest than can flow from the point of a goose-quill, and I pray you to aid me in discovering the way to return the favor. Somewhat loose in the arrangement of my affairs you must have had some trouble, but I hope some period of perception is approaching when the "wicked shall cease to trouble, and the greedy be at rest." If every man in Kentucky would pay me as honestly as I have discharged my debts in that state, I should yet possess in that County a fortune to which I could retire from labor to ease.

Present my most sincere and affectionate regard to your Lucretia & believe me unchangeably

Your friend

JAMES BROWN

Henry Clay Esq'r
Henry Clay Esquire
Lexington Kentucky
By Mail

New Orleans Feb'y 27th 1806

My dear Sir

The mail of to day has this moment enabled me to read your very interesting and friendly letter of the 18th Ult'o and although but a few moments are allowed me before closing the return mail, I shall drop you a line acknowledging the observations you impose upon me by the attention you pay to myself, and to my affairs in

---

[12] Thomas Hughes was in the Kentucky senate from Bourbon County in 1804, and in the house in 1815.—Collins and Collins, *History of Kentucky*, I, 521; II, 771, 772.

[13] General Simeon Kenton was born in Virginia on April 18, 1755, and at the age of sixteen he left home on account of trouble with William Veach, and went to Kentucky. In 1805 he moved to Ohio; took part in the Battle of the Thames; and died in Logan County, Ohio, April 29, 1836.—*Biographical Encyclopaedia of Kentucky*, 781; Collins and Collins, *History of Kentucky*, I, 21, 258.

[14] James Brown here refers to his brother, Dr. Samuel Brown, who was a noted physician of Kentucky and Louisiana, Professor in the medical department of Transylvania University, and a writer on medical subjects.—See introduction to James A. Padgett, editor, "Letters of Doctor Samuel Brown," in the *Kentucky Historical Register*, April, 1937.

your Country. I am happy to learn that your prospects "altho exagerated are flattering" and I most sincerely pray that your prosperity may keep pace with your merits and my good wishes.

You are right. No evidence in my reach has served *to convince me fully* that either New Orleans or Natchez is as healthy as Lexington, and much as I wish to see you display upon a new theatre talents which from frequent experience of their powers I have learned to respect, I never have advised you, I cannot *yet* advise you to change your establishment. One summer is too short to warrant favorable conclusions. We wait another and another—and then if *we* who are your harbingers can report favorably you may venture—but until then I beg of you to remain where you are. Having so long escaped, there is every reason to believe that my Nancy & myself are now acclimated and may promise ourselves many happy days in the Country. We are now fearless of danger from the ordinary bilious fever, and too sensible of the terrors of yellow fever to risque that dreadful contagion. Before it can approach the town we shall have found an asylum on our farm, far beyond the reach of its ravages.

I am happy in the success of Coburns suit inasmuch as it will give my best of friends Mrs. Price a trifle which may serve as a memorial of the affection I bear her. I hope the time is not far distant when I shall have the pleasure of seeing her, and of endeavoring to persuade her and her charming little girls to embark with us for this town. From a long acquaintance with her disposition I am sure we should be happy extremely happy in the same house. May I not hope too that your Lucretia and yourself will be able shortly to change the scene and spend a winter among the gay interesting dancing inhabitants of Louisiana? It is unnecessary to say what pleasure it would give us to see you here, and how steadily we should exert ourselves in making the place agreeable to you.

I am not so indifferent about Kentucky, and Kentucky politics as not to rejoice in the defeat and consequent mortification of that unprincipled upstart Grundy. When will the day arrive when men of talents and principle will acquire due weight in your councils?

Mansel *will* have law. He *shall* have my answer at the next mail.

I have done services for Winn to more than the amount claimed for the mare. He promised me fifty dollars out of her in the suit of the Porters alone. The rest was promised on other causes. I had bought his land for a trifle in discharge of a debt I agreed to let him redeem it. He gave me the mare as my fees and commissions in Biddle & Dalls suit alone—afterwards he promised to pay those Commissions & fees in money and wished the mare taken as I have mentioned in Porters suit & other fees. But when I left Kentucky I counted on being somewhat Cheated in my old accounts. Settle it as well as you can and I shall be content.

I am about putting on board Biddles Boat some good wine to be drank by the Judges at River June Session of the Court of Appeals. Tell my friends Todd[15] & Sebastian[16] that they must invite the bar and sit as President & Vice President of the Club. Wallace[17] is too much of a Presbyterian to Preside & I should be sorry to face Muter[18] to think as much as a Resident should swollow my health.

Doctor Brown's departure from Kentucky will oblige me to be doubly troublesome to you but I wish not to be an ungenerous Cliant. The earnings of many years are yet in your State. Will you take care of them for me. Can I lose so clear a cause as that in Barbour with Thomas? It is important for me to gain that suit. Gain it and take as much as you please of it. Why does not Trimble[19] write me? Is he not the honest fellow I always thought him? or have I offended him? Ask him if he has recovered

---

[15] Thomas Todd (January 23, 1765-February 7, 1826) was born in Virginia and died in Kentucky. He was educated by his parents, served in the latter part of the Revolution; tutored in Danville, Kentucky, and read law at night; worked for the admission of Kentucky into the Union as a state, and was clerk of all the conventions which preceded this event. He was clerk of the United States court for the district of Kentucky; became clerk of the court of appeals in 1799, fourth judge of the court in 1801, and chief justice in 1806; became associate justice of the United States Supreme Court, February 7, 1826; and was a great authority on land laws.—Appleton, *Cyclopaedia of American Biography*, VI, 127.

[16] Judge Sebastian was mixed up in the conspiracy with Spain regarding separation of Kentucky from the United States. He was on the bench when a decision was made in the court of appeals regarding a land case which made the people furious, and the legislature attempted to remove him.—Collins and Collins, *History of Kentucky, passim.*

[17] Judge Caleb Wallace was a preacher, teacher, and judge in Kentucky. He was a man of noble character, honorable and upright.—See introduction to James A. Padgett, editor, "Life and Letters of Honorable Caleb Wallace," in the *Kentucky Historical Register*, July, 1937.

[18] George Muter was with Sebastian in the land case decision. However, he reversed his opinion in a later decision in a similar case, but Sebastian did not.—Collins and Collins, *History of Kentucky, passim.*

[19] Robert Trimble (1777-March 25, 1828) was born in Virginia; moved to Kentucky with his parents when quite young; and after teaching school and reading law he entered the legislature in 1802. He was judge of the court of appeals in 1807, but resigned two years later; declined to become chief justice of the court in 1810, and declined another offer of a judgeship in 1813; and served as district attorney from 1813 to 1817. He was judge of the United States district court from 1817 to May 9, 1826, when he became an associate justice of the United States Supreme Court.—*Dictionary of American Biography*, XVIII, 642-643.

1000 Doll'rs suit which he sued Hipp for before I left Kentucky? And how has he decided the entry of Mosby which interfere with Timberlakes.

Remember me aff'ly to all my friends & believe your sincerely attached friend

JAMES BROWN

Henry Clay Esquire
Counsellor at Law
Lexington Kentucky Mail

New Orleans February 26, 1810

My dear Sir

Deeply interested as you must feel in the prosperity of Kentucky you cannot have overlooked the obvious fact that its safety, tranquility, wealth and even the continuance of the form of government it enjoys depend on the destinies of the Territories on the Mississippi. Should this key to your trade fall into the hands of either of the two great nations who now figure on the European theatre, the effects would be serious, if not ruinous to your prosperity. On no subject are you more deceived than as to the ease with which the Territory of Orleans could be taken—by the people of Kentucky and the other states adjoining it. The Island of N. Orleans is susceptible, in the hands of those powers who have made war a trade, of being made defensible by a force of 20,000 men against an Army of 100,000, and no place is better adapted to defence against a force by sea. It is true that we have little to dread from England because her restless and powerful rival will keep her soldiers at home and give full employment to her small population in defending her present possession. But should France succeed in her amiable, and benevolent, and disinterested, and philosophical project of "restoring the liberty of the seas" and leaving herself no rival on that element, or in my understanding of what are her present views and will be her future policy, should she become the tyrant of the Ocean, will she not immediately annex Cuba, the Florida's and the other Spanish American possessions to her Crown of Spain, and will not the important positions of Pensacola Havanna Campeche La Vera Cruz &c give to the ambitious Emperor a compleat command of the Commerce of the Gulph leaving the desirable and at present undefended point the Mississippi exposed a tempting and easy prey to her insatiable cupidity? And with the Command of the

Ocean and the adjoining provinces, holding a population equal to that of the United States, will she find any difficulty in seizing upon and maintaining her possession of a Territory whose population is French and who have considered themselves as only lent for a few years to the United States? The success of the British in the Islands and the struggles of Spaniards, have concentrated the forces of Bonaparte in this Territory. Our American population since the Cession has perhaps increased about 2,000 whilst we are indebted to the last 12 months alone for the introduction of from 10 to 15000 French. The refugees from all the Islands who had sheltered themselves in the different American States or French Colonies, have collected in this City & Territory where they find their own manners, laws, and I may add government. For the feeble authority who is nominally American here is so true to the Republican Maxim of a Government by a Majority that he submits to it where foreigners compose that majority and where that majority act in opposition to the most sacred principles of good policy and of the Constitution. Indeed such is his rigid adherence to the Maxim that he did not fail to yield his whole civil authority to the majority composed of Wilkinsons[20] Army and adherents, and I am firmly persuaded that should a minion of Bonaparte's arrive tomorrow at the head of an army he would advise submission upon the principle of the inviolability of the Majority. So sensible are the adherents and agents of the Emperor that this Country is undefended and such their conviction that it will soon return to France, that they act and speak as if it was already a French province. By the terms of the Capitulation on the taking of Santo Domingo the French Officers were to be sent on parole to France—about fifty or sixty took their passage for New York but by some mistake arrived in New Orleans. The French Consul, directed them to the Municipality who having a Control of the immense funds of the City allowed them a weekly salary of four dollars each without any rational hope of repayment. On this allowance they remained here about two months

[20] James Wilkinson (1757-December 28, 1825) was born in Maryland, and died near Mexico City. After completing medical studies he entered the army under Washington; became very intimate with Arnold and Burr; attended the army into Canada in 1775; rose rapidly to the rank of colonel and adjutant-general; was brevetted brigadier-general; became secretary to the board of war; and after the close of the Revolutionary War he moved to Kentucky where he schemed with Spain about separating the West from the United States. He got the right to navigate the Mississippi with his produce and a pension of $2000 a year from Spain; and almost won out in his plan to split the Union, but Isaac Shelby, George Muter and Thomas Marshall were the leaders in preventing it. Since he was an excellent Indian fighter he was made brigadier-general in 1792, and commander in the West in 1796. He was made Governor of Louisiana Territory in 1805, and more than likely was involved in the Burr Conspiracy, but by turning against that leader he became a hero. In 1811 he was courtmartialed for complicity with Burr, but was acquitted for lack of evidence; became a major-general in 1813; was again courtmartialed, but was exonerated in 1815; and was discharged at the close of the war and went to Mexico City.—Appleton, *Cyclopaedia of American Biography*, VI, 511-512.

amusing themselves and examining the Country. When ready to depart, a ship was chartered to carry them to New York—their passages were paid by our Corporation—they sailed but as the Vessel was loaded with Cotton it is said they took charge of her and proceeded direct for France. The sufferings of our own officers who died from want of Musquiettoe Curtains fresh provisions and other comforts in the morrasses of Terre aux Beauff and whose groans might have touched the heart of the human Council passed unheeded whilst the colored cocade was treated with every degree of Humanity, attention and respect. Indeed it would be absurd to expect that things could be very different from what they are. The military despotism of Gen'l Wilkinson who bearded the Judges in open Court, Mr Jefferson's unqualified approbation of his conduct, and his more unwarrantable contempt of our Court in taking possession of the Bature by Military force in opposition to their decree and injunction—these public insults upon the Judicial authority have brought the Judges into such disgrace with the people that they are scarcely able to enforce their own Judgments or to preserve the peace of society. In a word we are at this moment a French Province. From this imperfect sketch of our situation you will anticipate a recommendation of a strong army at this place. You are mistaken. I have no such wish. My hostility for large armies is now much greater than when we parted. I have seen some thing of the despotism and insolence of a small one, and what I have seen is not very well calculated to induce me to wish that it had been larger. My plan for defending this Country and making it American are such as to require neither armies nor money.

The first object is to make the Councils completely American. This is to be effected by permitting the Inhabitants of West Florida to attach themselves to the American Government which they will immediately do if assured of being received and protected. The title of this Country is in dispute being claimed by the Emperor, by Ferdinand the 7th and by the United States under the limitless treaty of Mr Livingston.[21] In such a state

[21] Robert R. Livingston (November 27, 1746-February 26, 1813) graduated at King's College in 1765; was a partner with John Jay for awhile after being admitted to the bar in 1773; was recorder in New York City, 1773 to 1775; was sent to the provincial assembly of New York in 1775; was a member of the Continental Congress and a member of the committee of five to draft the Declaration of Independence, but rushed home on July 8, 1776, to take his seat in the New York assembly; was the first chancellor of New York, 1777-1801; served in the Continental Congress until 1777 and from 1779 to 1781, and again from 1784 to 1785; and was Secretary of Foreign Affairs from 1781 to 1783. He was a member of the New York Convention that ratified the Constitution in 1788; refused to go to France as minister in 1784, but went in 1801; purchased Louisiana; resigned in 1804 and traveled in Europe; helped Fulton develop the steamboat; and was a scientific farmer, inventor, orator, statesman, and author.—Appleton, *Cyclopaedia of American Biography*, III, 744-745.

of affairs there could be no impropriety in giving the possessors a change of masters. The thirty third degree on the North, Mobile on the East, the Sabine on the West and the Gulph would then form a state of very convenient bounds, sufficiently populous to be admitted into the Union and immensely wealthy. The destinies of this place would no longer be in the hands of a French Faction; because the majority would be American. This circumstance would remove many of the existing prejudices against our Country and increase migration.

2nd Let the vacant lands be liberally given to settlers. The mode pursued under the Spanish Government was extremely simple and produced few interferences. Let a warrant of survey issue for the required quantity and make it the duty of the surveyor to advertize the day on which he will survey the land and put the claimant in possession. Let the possession be given in presence of the neighbors and let them certify that the land is vacant. Should Livingston[22] remain at the City he can give you much valuable information on this subject. It appears to me to afford a fine field for a man of talents, and the opportunity of distinction is the greater, as the subject is but little understood at Congress. In surveying this Country and promoting its growth you save Kentucky more effectually than by raising Cavalry there to fight the British Navy. A little of this must be done to please your constituents but you are to look for solid fame and lasting distinction in objects of higher utility. The New England members are deeply interested in the measures I have recommended. Our markets are filled with their products. They carry ours to market. And as this country would form a commercial state it is probable it would feel strongly attached to the other states of that description.

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[22] Edward Livingston (May 26, 1764-May 23, 1836) graduated from Princeton in 1781; was admitted to the bar in 1785 and soon became a noted lawyer; served in Congress from 1795 until 1801; was United States attorney and mayor of New York City from 1801 to 1803; almost lost his life when he helped yellow fever patients in the city; became involved because of his business agent, and confessed judgment in favor of the United States to the amount of $100,000, although he owed them only $43,666.21; assigned his extensive property to trustees to pay his private debts; moved to New Orleans where he soon rose to fame as an attorney, even drawing up the rules of court procedure for the Territory of Orleans in 1805. He won the Batture land case for which he received part of the land, but when the people appealed to the United States it looked as if he would lose it; but he brought action against the United States and against President Jefferson, and then won. He was an aide to Jackson in the War of 1812; entered the legislature of Louisiana in 1820; served in Congress from 1822 to March 3, 1829; paid in 1826 to the United States $100,014.89, the total amount due the government including interest; was in the Senate from 1829 to 1831; Secretary of State under Jackson from 1831 to 1833; and minister to France from 1833 to 1835.—Appleton, *Cyclopaedia of American Biography*, III, 745-746.

Excuse this rough sketch of my ideas on this important subject You can perhaps turn it to some account.

My Nancy says to be remembered by you

Your friend

JAMES BROWN

N. O. Apr'l 26, 22

My dear Sir—

I should have answered your last friendly letter sooner—but my professional duties hung so heavy on me as almost to forbid attention to anything else. My mind has been so long bent down by pecuniary slavery—(for what is debt but slavery) that I rarely lift it up from the toilsome paths which promises redemption. Yet to be candid there is no subject nor pursuit which yields half the satisfaction of those coupled with the political career & character of our Country.

I was so warm an advocate of Mr. Monroes election and have been so disappointed in his administration (having so completely destroyed the republican party as to leave us without guide without concert and almost without National purpose) that little is left but mere speculation as to future events.

National purposes seem to have give place to individual objects, and the promotion of *this* or *that* member of the administration constitute its prominent measures. In their zeal for elevation they remind me of untrained attendants at a Banquet, jostling each other out of *place.*

Poor Adams[23] will have to make his exit without time or opportunity to thank his friends if he has any for past favours.

What with his 4th July garlands, flowers of etiquette, laurels of triumph over Senators wives—and last tho' not least, the glory of advocating the Surrender of the Navigation of two thirds of the Union to the British, he has secured himself early, if not dignified, *retirement.*

I have yet to learn Crawfords[24] claims to the Presidency. He

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[23] John Quincy Adams (July 11, 1767-February 23, 1848) was at this time Secretary of State, and became President in 1825.—Appleton, *Cyclopaedia of American Biography*, I, 24-28.

[24] William Harris Crawford (February 24, 1772-September 15, 1834) was born in Virginia and died in Georgia. He studied law and was one of the first compilers of the Georgia Digest of Laws. He entered the state senate in 1802; was elected to the United States Senate in 1807 and 1811; went to France as minister in 1813; became Secretary of the Treasury in 1816; and received forty-one electoral votes for the presidency in 1824. He then retired to Georgia and was soon made a circuit judge, which position he filled until a short time before his death.—Appleton, *Cyclopaedia of American Biography*, II, 6.

has given stronger evidences of ability in a Congressional caucus than upon any other theatre he has occupied.

Lowndes[25] is destined to be President should he live until his virtues and talents are known. He cannot I think succeed at the ensuing election. He may however materially mar your prospects. What will Virginia do? Will she not take up Lowndes? There are many of the old republican Party who will still look to & venerate the counsel of Jefferson & Madison. I have recently understood them to be cautious upon this subject—tho' warmly attached to you, and perhaps desirous of your success.

I formed an opinion of Calhoun[26] whilst public servants du'g the war. He was then the most presuming man in *Congress*. He is now the most presuming man in the Nation.

With fewer claims to the Chair of State than any other individual named, he is making bolder efforts to attain it.

If he can secure the federalists (& he can alone do so by apostacy) and with them Cheves[27] and the Bank, he will secure a vote by individual effort, which the nations voluntary voice would not accord.

Will not the slave question, so called divide us? If it should Calhouns prospects are better than they seem to be.

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[25] William Lowndes was born in South Carolina on February 11, 1782; pursued classical studies at home and in England; studied law and was admitted to the bar in 1804, and practiced in Charleston and engaged in agriculture. He served in the state house of representatives from 1806 to 1810; became a captain in the militia in 1807; was a member of Congress from March 4, 1811 to May 8, 1822, when he resigned; was nominated by the Legislature of South Carolina for the presidency in 1821; declined cabinet positions and foreign missions tendered by Madison and Monroe; and died at sea while en route to England, October 27, 1822, and was buried at sea.—*Biographical Directory of Congress*, 1242.

[26] John Caldwell Calhoun spent most of his mature life in national office. He was in the South Carolina Legislature from 1808 to 1809; served in Congress from March 4, 1811 to November 3, 1817; Secretary of War from December 10, 1817 to March 3, 1825; Vice President from March 4, 1825 to December 28, 1832, when he resigned; United States Senator from December 29, 1832 to March 3, 1843; Secretary of State from March 6, 1844 to March 6, 1845; and then served again in the Senate from November 26, 1845 to March 31, 1850.—*Biographical Directory of Congress*, 777.

[27] Langdon Cheves (September 17, 1776-June 25, 1857) was born and died in South Carolina. He worked in a mercantile house; studied law and was admitted to the bar, and became a noted attorney; entered Congress in 1810, and was chosen Speaker of the House in 1814; was a leader in defeating the recharter of the United States Bank in 1814; and declined reelection after peace and returned to the practice of law. He became judge of the superior court of South Carolina; was president of the board of directors of the United States Bank from 1819 to 1822, when he resigned; was chief commissioner of claims under the Treaty of Ghent, living for a time at Philadelphia and then at Lancaster, Pennsylvania; but returned to South Carolina in 1829 and then to his plantation. He wrote essays and reviews; opposed South Carolina nullification alone, but favored secession; and in the Nashville Convention of 1850 he was in favor of a separate Southern confederacy.—Appleton, *Cyclopaedia of American Biography*, I, 601.

Duane[28] & his party (& the feebleness of the present administration has given Duane & his friends strength) will support Clinton.[29] New York will I presume support him: Should success promise reward they will be more than vigilant in his Support. Ohio, Indiana, Illinois are not sufficiently enlightened to free themselves from the pretended Crusade for African emancipation. They hate us, Not because we have slavery, but because they have none. If the *West* are true to themselves—and some partial support can be had from the middle states your election might be calculated on with confidence.

You have I know warm friends in Pennsylvania & New York and unless some sectional feeling on the slave question should interpose I presume you will find some support in these states.

In Louisiana, Our bales of Cotton & Hogsheads of sugar absorb all other considerations. The dependents of the present Administration and the expectants for office, are devoted to Mr. Adams.

You are the only Candidate for the P. Known here, and the only one having warm personal friends. The aggricultural part of our Community whether creole or american is sound & you may I think rely on their support. The press is the leveer which must be used here. The . . . (Incomplete).

Paris April 1st 1825

My dear Sir,

At the date of my last letter which I had the pleasure to receive from you your determination seemed to have settled down in favor of Mr Adams as President and I have since heard that

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[28] William John Duane (May 9, 1780-September 26, 1865) was born in Ireland, the son of William Duane (May 17, 1760-November 24, 1835). His father went to India in 1787 and set up a paper, but soon was deported to England where he became a parliamentary reporter, and his son often accompanied him. In 1796 the father and son moved to Philadelphia where they established the *Aurora*. In 1806 the son became a paper merchant and entered politics; entered the legislature in 1809; continued writing; was admitted to the bar on June 13, 1815; ran for Congress in 1816, and for the state legislature in 1817; was elected to the state house of representatives in 1819; refused nomination to Congress in 1824; and was on the committee to make a treaty with Denmark in 1831. On June 1, 1833, he became Secretary of the Treasury under Jackson, but was removed on September 23, 1833, because he would not order the removal of the government deposits from the United States Bank. He was the author of many books and pamphlets.—*Dictionary of American Biography*, V, 468-469.

[29] De Witt Clinton was born in New York, March 2, 1769, and died in New York, February 11, 1828. He graduated at Columbia in 1786; studied law and was admitted to the bar, 1788; opposed the ratification of the Constitution of the United States; served in the New York house of representatives, 1797, and was in the state senate from 1798 to 1802; became United States Senator in 1802, but resigned the same year to become mayor of New York City, which office he held until 1815, except from 1807 to 1809 and 1810 to 1811; was state senator from 1805 to 1811; lieutenant governor from 1811 to 1813; pushed the construction of the Erie Canal; and was a writer of note.—Appleton, *Cyclopaedia of American Biography*, I, 660-661.

he was elected.[30] I congratulate him on the success of his election; for although you will be abused and censured by some of the friends of the other Candidates yet defeat would have rendered that censure and abuse more poignant whilst you can now receive the support of the majority of Congress if not of the nation. I am wholly at a loss to know who will compose the cabinet of Mr Adams. It is believed here that Mr Webster[31] will be Secretary of State in case the appointment should not be offered to you. I rather doubt whether Mr Websters opposition to the last War[32] is forgotten sufficiently to make him popular in that important Office. I hope soon to receive letters from Washington which will remove all doubt as to the manner of filling these important places. Indeed we have waited for some days in anxious expectation of the arrival of the Packet of the 1st of March which has been delayed by the prevalence of eastwardly winds. The election of Mr Adams, after the fact was known that the choice would be between him and Gen'l Jackson[33] appeared to give great satisfaction in Europe. The character of Gen'l Jackson was considerably mistaken and still more the power he would have as a President of our Republic. It was believed that his education had been entirely military and that he would if elected declare war on the slightest

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[30] In the presidential election of 1824 Jackson received 99 electoral votes, Adams 84, Crawford 41, and Clay 37. On the first ballot in the House of Representatives Adams received the votes of 13 states, Jackson of 7, and Crawford of 4.—Edward Stanwood, *History of the Presidency*, (revised by C. K. Bolton), I, 140-141.

[31] Daniel Webster (January 18, 1782-October 24, 1852) graduated at Dartmouth in 1810; studied law, was admitted to the bar, and located in Portsmouth, New Hampshire; served in Congress from New Hampshire, March 4, 1813 to March 3, 1817; was reelected in 1816, but moved to Boston; served in Congress from Massachusetts, March 4, 1823 to May 30, 1827; served in the Senate from the latter date to February 22, 1841; was Secretary of State from March 5, 1841 to May 9, 1843; served in the Senate from March 5, 1845 to July 22, 1850; and was Secretary of State from July 22, 1850 to October 24, 1852, the date of his death.—*Biographical Directory of Congress*, 1677-1678.

[32] In 1808 Webster published a pamphlet against the Embargo; in 1812, in a speech before the Washington Benevolent Society at Portsmouth, New Hampshire, he summarized New England's objections to the War of 1812; as a delegate to the Rockingham meeting he drew up the "Rockingham Memorial" addressed to President Madison, which was a protest against the war; after he took his seat in Congress in May, 1813, he introduced a series of resolutions aimed against the President, and calling for the time and manner that Napoleon's pretended revocation of his decrees against American shipping had been announced in the United States; and his first great speech, January 14, 1814, was in opposition to a bill encouraging enlistments. He opposed Monroe's enforcement of the draft of 1814, and took the side of the Federalists in Washington against the administration.—Appleton, *Cyclopaedia of American Biography*, VI, 406-407.

[33] Andrew Jackson (March 15, 1767-June 8, 1845) attended an old field school and taught in one for a time; studied law, was admitted to the bar in 1787; and became solicitor of what is now Tennessee in 1788. He was a delegate to the Tennessee constitutional convention in 1796; served in Congress from December 5, 1796 to March 3, 1797; was in the Senate from March 4, 1797, until he resigned in April, 1798; was judge of the supreme court of Tennessee from 1798 to July 14, 1804; was a planter near Nashville; was major-general of volunteers, brigadier-general and then major-general in the United States Army; and defeated the British at New Orleans on January 8, 1815. He went to Florida as an army officer in 1817; was Governor of Florida in 1821; served in the Senate from March 4, 1823 to October 14, 1825; and was President of the United States from March 4, 1829 to March 4, 1837.—Appleton, *Cyclopaedia of American Biography*, III, 373-374.

pretext or provocation. His conduct at Pensacola[34] and at St Augustine[35] had made him obnoxious to the Spaniards and their Continental friends whilst the British have neither forgotten the bullets at New Orleans, nor forgiven the execution of Arbuthnot and Ambrister.[36]

I have received an invitation in common with the other members of the diplomatic corps to attend the coronation at Rheims[37] which will take place about the middle of June. Although this journey will be fatiguing and expensive yet the invitation was given in such terms and accepted by the whole diplomatic body that I could not without offense refuse to attend. I have written to the Secretary to know whether this extraordinary expence would be paid by the Government of the United States as it will be by all the Governments of Europe. The death of the late King[38] subjected me to a very considerable expenditure being obliged to put my carriage and servants in mourning, but I have not placed it in my account with the Government. The coronation will cost me in all probably near two thousand Dollars, a sum too considerable to be borne by a minister enjoying the smallest salary of any Minister at this Court.

Our claims against this Government[39] appear to have taken

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[34] On November 7, 1814, Jackson attacked Pensacola. He sent 500 men to make the attack on the west and when the British ships trained their guns on them the main body of the army rushed into the streets of the town before the guns could be reversed. After a street fight the city fell. On May 24, 1817, in his war against the Seminoles, he sent word to the governor who had taken refuge in the Barrancas that he would assume the government until the transaction could be amicably adjusted between the two governments.—John Spencer Bassett, *Life of Andrew Jackson*, 139, 261.

[35] Jackson ordered Gaines to seize St. Augustine.—*Ibid.*, 261.

[36] R. C. Ambrister was an English officer and Alexander Arbuthnot was a British agent, whom Jackson took as prisoners in the Seminole War. The latter was charged with inciting the Indians and the former with aiding and inciting the Indians and Negroes to resistance. Ambrister was shot and Arbuthnot was hanged from the yard-arm of his own vessel.—*Ibid.*, 254, 257-259.

[37] Louis XVIII, the brother of Louis XVI who was executed during the first part of the French Revolution, ruled in France from 1814 to 1824, and was succeeded by the Count of Artois, his younger brother, who, as Charles X, ruled until driven from the throne by the July Revolution of 1830. Charles X was born in Versailles on October 9, 1757, and died at Gorz, Austria, on November 6, 1836. After ruling France for six years his reactionary measures led to a revolution, July 27-29, 1830, which overthrew the government; but he escaped into exile.—*Century Dictionary and Cyclopedia*, IX, 624; C. A. Fyffe, *History of Modern Europe*, II, 324.

[38] Louis XVIII was born at Versailles on November 7, 1755, and died in Paris, September 16, 1824. When Napoleon abdicated in 1814 the allies took Louis to Paris and made him king, but when Napoleon returned from Elba in March, 1815, the king fled, but was again placed on the throne after the final defeat of Napoleon at the Battle of Waterloo. In 1814 he gave to the French people a constitution based upon the English model.—*Century Dictionary and Cyclopedia*, IX, 624.

[39] These claims grew out of the destruction of American commerce under the rule of Napoleon, and were not settled until the latter years of Jackson's second term as President.

a stand at the point at which Mr Gallatin[40] left them and I do not know how or when we shall be able to drive the Ministry from their resort to the 8 art[41] of the Louisiana. I was surprized that the Committee of foreign relations, when informed that the real difficulty arose out of that Article, had not taken some pains to notice and explain their views of it in their report. I hope if the subject is again brought before Congress instead of a loose repeal merely affirming the justice of our claims, the Treaty of Cession of Louisiana will be carefully examined and an argumentative report on the construction of it given to satisfy the Claimants that the interpretation contended for by France is not warranted by the Treaty. In the present state of the business I find France by no means to recede and indeed my two letters of the 23 of Oct'r and the 18 Ult'o in which I have urged a separate description of the questions remain without any answer.

The recognition of the Independence of the South American Governments[42] has produced much feeling on the Continent, but will not be immediately followed by war. The want of revenue, fleets, and the conflicting interests arising out of the affairs of Greece and Turkey[43] will for the present prevent a resort to force. It is obvious however that England is viewed in no very friendly light by the Members of the Holy Alliance.[44] Prince de Met-

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[40] Albert Gallatin was born in Geneva, Switzerland, January 29, 1761; graduated at the University of Geneva in 1779; emigrated to Boston in 1780; fought in the Revolutionary army; moved to Pennsylvania and was in her constitutional convention of 1789; served in the state legislature, 1790-1792; was elected to the United States Senate in 1793, but after serving a short time he was ruled ineligible because he had not been a citizen for nine years; and he served in Congress from March 4, 1795 to March 3, 1801. He was Secretary of the Treasury from January 26, 1802 to February 9, 1814; one of the commissioners to make the treaty at the close of the War of 1812; minister to France from 1815 to 1823; minister to Great Britain from May 10, 1826 to October 4, 1827; then became president of the national bank of New York; and died on August 12, 1849.—*Biographical Directory of Congress*, 996.

[41] Article 7 of the Louisiana Purchase Treaty of 1803 provided that French ships coming direct from France or from her colonies, loaded with their own products or manufactured products, and ships of Spain with their own goods were to be admitted to New Orleans or any other ports of Louisiana for twelve years on the same terms as ships of the United States coming from France, Spain, or the colonies of these nations without paying any other duties or penalties than the citizens of the United States, and no other nation was to be granted the same rights and privileges in these ports as France and Spain. Article 8 provided that forever after the expiration of the twelve years the ships of France were to be treated upon the footing of the most favored nation in the ports of Louisiana.—Hunter Miller, *Treaties and Other International Acts of the United States*, I, 502-504.

[42] The recognition of the South American Republics by the United States and the promulgation of the Monroe Doctrine made the continental European nations furious.

[43] He here refers to the horrible contest of Greece for freedom from Turkish domination, which began in 1821 and continued until many atrocities were committed on both sides.

[44] The Holy Alliance was worked up by Alexander I of Russia in 1815. The rulers of Russia, Prussia and Austria agreed to apply the same Christian principles to their international dealings with others that they, as good Christians, were supposed to apply in their personal dealings. The Quadruple Alliance, which is often confused with the Holy Alliance, was signed by the governments of these three countries and England, and its purpose was to preserve the *status quo* in Europe.—Fyffe, *op. cit.*, II, 63-66.

ternich[45] has been in Paris for some time and frequent conferences are held by the Representatives of the great powers over all of which the veil of great secrecy is thrown. It is believed however that they relate principally to the affairs of Greece and Turkey. Austria it is said entertains serious apprehensions that the war with Greece, if continued much longer may so sensibly enfeeble Turkey that Constantinople will fall into the hands of the Emperor of Russia and increase his already overgrown Empire.

The course pursued by the English Cabinet is well calculated to restore the influence of that nation on the Continent by exciting the admiration of all those who are in favor of liberal systems of Government. Although Europe is apparently tranquil yet symptoms of dissatisfaction and discontent are so found in every part of it, and particularly in the small States over which the Holy Alliance is said to exercise a pretty rigid superintendence. The new King of Naples and Sicily is anxious to escape from the Austrian yoke and it is said is very urgent with the Emperor to withdraw the army of occupation. The King of Sardinia is said to be in favor of a more liberal system of Government and the temper and disposition of the Small powers of Germany has been roused by the intermeddling of the Allies in their systems of Government and the aversion shown to the liberty of the press. France is prosperous and tranquil, and if we might draw our inferences from the measures now pending in the two chambers, expects the state of peace to remain uninterrupted for some time. A law has passed the Chamber of Deputies which allows an indemnity of one Milliard of francs to the Emigres, and adds thereby millions to the annual interest of the National debt. The state of Spain is as miserable as you well imagine and that of Portugal but little better. How Spain can long exist without army fleet organization or revenue is beyond my comprehension.[46]

The price of every thing necessary for living such as house rent, servants, provisions rose rapidly and I believe London is

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[45] Metternich-Winneburg was born in Coblenz, Prussia, May 15, 1773, and died in Vienna, June 11, 1859. He was minister at Dresden in 1801; at Berlin in 1803; at Paris in 1806; minister of foreign affairs, 1809; chancellor, 1821; and chief minister in Austria from 1809 to 1848. He was a leader in the Congress of Vienna, 1814-1815, and was almost dictator in Europe until he was overthrown by a revolution in Austria in 1848.—*Century Dictionary and Cyclopedia*, IX, 681.

[46] The revolution broke out in Spain in 1820, when the king tried to suppress all liberalism; and when he gathered soldiers to go to Spanish America to suppress the revolutions there, the army revolted and demanded restoration of the Constitution of 1812. The trouble in Spain dragged along until the Congress of Verona, 1822, delegated France to put down the revolt. This intervention led to a most bloody war in the Iberian peninsula.—Ferdinand Schevill, *A History of Europe*, 472-474.

now as cheap as Paris. I have paid for my house for the present year 22,500 francs and now find that I shall be forced to leave it in August as Prince Esterhazy Ambassador of Austria has rented it for nine years. I do not believe I can procure one sufficient for my accommodation for less than 28,000 francs. You perceive no money is to be made by a foreign Mission. A house, servants, carriage, lights and fuel will exhaust my nine thousand Dollars leaving the other expences unprovided for. I shall however so long as I stay endeavor to keep up an establishment nearly as respectable as that of the Ministers of my rank and I believe my countrymen who have visited Paris are generally satisfied with the reception I have given them.

A Mr Rhembolt of Philadelphia had commenced suit for some lands on Johnstons fork which interfered with Mosbys claim. I feel interested in the event and I hope you will be so kind as to have an eye to my interest in that quarter.

I hope John Humphreys[47] will not fail to remit to Mrs. Price the amount which I requested should be paid for her and her mother. He has funds of mine for that purpose at his disposal.

I fear your vote for Mr Adams will affect your popularity in Kentucky, but as you have already been elected for the next two sessions you will have time to remove any unfavourable impressions before your Constituents are again called upon to make a choice. It gives me great pleasure to hear that you were again nearly independent of your pecuniary affairs, and I hope your lands and real property will soon experience a higher value and completely extricate you.

We have now very few Americans at Paris but those who are here are generally of a very respectable order and conduct themselves with great propriety. Mr Lynch of New York Saly Hervey and her sisters Mrs. Patterson and Miss Caton are among the number. Wm Templar Irving is also here and is much esteemed as is William West of Lexington by his fine and highly cultivated talent for painting. His picture of Lord Byron[48] has attracted great notice and he has had full employment in making portraits

[47] John B. Humphreys was the manager of Brown's sugar plantation in Louisiana, and a nephew of Brown. He later purchased a half interest in the sugar plantation.—See references to him in many of the subsequent letters in this series.

[48] George Noel Gordon Byron (Lord) was born in London, January 22, 1788, and died in Missolonghi, Greece, April 19, 1824. This celebrated English poet joined the Greeks against the Turks in 1823 and was commander-in-chief at Missolonghi, where he died of fever.—*Century Dictionary and Cyclopedia*, IX, 199.

since his arrival. He proposes to establish himself in London where I have no doubt he will meet with great encouragement.

I shall enclose this letter to the Department of State to be sent to Lexington in case you should have left Washington. Remember me most affectionately to Mrs. C. and all our friends in Kentucky and receive assurances of the unabated friendship of Dear Sir

Yours,

JAMES BROWN

Paris April 28, 1825.

My dear Sir,

I wrote you by the last Packet that sailed from Havre, but as I had presumed that before it could reach Washington you would have commenced your journey westward, I directed it to you in Lexington. The newspapers received since the date of that letter inform me of your having entered upon the duties of the Department of State, and I pray you to accept my congratulations on that agreeable event. You will no doubt find the Office laborious or at least more confining than the place you formerly filled, but I hope you will find your compensation in having a permanent residence instead of those long and fatiguing journies, which had an unfavorable influence on your health and spirits.

You will see by my several letters to Mr Adams that all my efforts to extract from the present Minister of foreign Affairs a definite answer to the proposal made for a separate discussion of the question of Claims and that arising under the Louisiana Treaty have been unavailing. The Baron Damas who now fills the Office of foreign Affairs is said to rely much upon the President of the Council Mr de Villele for the direction which he gives to all diplomatic discussions, and as that Minister is now overwhelmed with business in his own department (the finances) it is probable he will not have time to give his assistance in examining the question of our claims until after the adjournment of the two Chambers which will not take place before the month of July, or the middle of June. The present Ministry having carried the elections as they wished, and passed a law to keep the deputies in place for seven years have large majorities on all questions and will carry all the laws which have been proposed. The Bill for punishing sacrilege with death after the *Amende honorable*, and

that for giving a Milliard of francs as indemnity to the Emigres for their estates which had been confiscated and sold under the revolutionary Government, have already passed. Both of the laws are very unpopular, particularly the latter which seems to displease all parties. The Emigres wished either a restoration of their Estates or their value as an indemnity, instead of which they obtain only the amount for which they were sold without interest. Other classes of individuals who were ruined by revolutionary measures complain of the hardship of granting an indemnity to Emigrants only and refusing it to those who adhered to the country under all its changes, whilst the mass who also suffered during the long struggle consider it a peculiar hardship to be taxed for the benefit of Emigrants. The parade and expenditure at the Coronation may for a while allay these discontents, but it is evident that they are deeply felt and will in all probability be more strongly expressed, after the adjournment of the Chambers.

There is much conjecture afloat respecting a meeting of the Allied Sovereigns at Milan. Prince Metternich spent some weeks in Paris and had almost daily conferences with the Ministers of this Government and with the Ambassador of Russia. Although every means was used to discover the objects of these conferences, I have seen no one who could give any satisfactory information on the subject. It is said the Ambassador of England was not present at any of them.

My health is considerably improved, but is very far indeed from being confirmed. My situation compels me to expose myself to night air and I hardly ever do so without suffering from it.

I hope after a careful examination of the correspondence with France I shall have the pleasure of hearing from you on the subject of our Claims. I am exceedingly mortified that I have been unable to obtain a satisfactory answer or even to know when one might be expected.

I am Dear sir with great regard

Yours sincerely

JAMES BROWN

P.S. You will readily perceive that this is anything but an official letter

J. B.

Paris June 25, 1825

My dear Sir,

I had the pleasure of receiving your very acceptable letter by the Count de Menou, and was happy to learn that your health was not so bad as I had been induced to apprehend, and that you bear up with your usual fortitude against the attacks of your political enemies and the scurrility of the Newspaper paragraphs directed against you since the result of the Presidential election has been announced. The administration of Mr Adams will no doubt be assailed by a combined attack of the friends of the disappointed Candidates, but before the next election a division must necessarily take place, and the present Incumbent will find his chances of success increased by a division of the forces opposed to him under their several chiefs. In the mean time I sincerely hope you will preserve your health, your firmness, and what is not the least defficient nor the least important of all a perfect command of your temper however envenomed the assaults which may be made upon your feelings. Party bitterness when sustained by no essential political principle, may be softened down and ultimately disolved by forbearance, condescension, and bland manners, and I am sure you are as capable as any one with whom I am acquainted of bringing them into operation when a proper occasion for their employment occurs. The solid understanding, long experience, and extensive acquirements of Mr. Adams must have their weight, and although some may complain of the coldness of a first reception, a further acquaintance with him cannot fail to remove prejudice and to increase the number of his friends. Mrs. Adams is eminently qualified by her talents, knowledge of the ways of good society, and disposition to please, to fill the place assigned her, and to become the rival of Mrs. Madison in popularity. Her social and truly pleasing qualities will now be exerted on a wider sphere, and I have no doubt with increased effect. Time however can alone decide how all will operate and we must patiently wait for the result.

In my late dispatches you have been informed of the wretched state of my health, which although somewhat improved is yet very far from being so good as I could desire. My Physician has advised me to pass two or three weeks at the hot mineral water of Aix in Savoy as the only certain means of eradicating the rheumatism from my system and I believe I should have ventured

to take a furlough of that length had the health of Mr. Sheldon[49] been such as to have left him in charge of the Legation until my return. He has suffered for some weeks with a bad cough and fever and with a hope that a change of air would be beneficial to him has fixed himself near Montmorency at about 12 miles distance from Paris. I hope his indisposition will be of short duration and that he will be perfectly recovered in a few days. He is an excellent man, attentive to business and exceedingly well qualified for the place he has accepted. We were both deprived of the pleasure of witnessing the coronation although I had made my preparations for the purpose. My expenses will not exceed fifteen hundred francs and I presume will be considered moderate by the Government. I have reason to believe that those of the other Ministers have in no instance been under ten thousand and even those of the Chargé d'Affairs of Switzerland amounted to two thousand. This subject however will be mentioned to you *officially* when I send on my next account. My accounts and Vouchers having been transmitted with great regularity, I should be glad to be informed that they have been passed and closed.

You mention your intention of building in Washington and enquire whether your furniture could not be better procured here than in the U States. Perhaps Time pieces, Chandelabrai, porcelaine, mirrors and a few other articles might be advantageously procured here, but the greatest part of what you want can be had on better terms at home or in England. If you determine on buying any thing here I shall be happy if you command my services. Your plated ware will be best if bought in England—the gilt is better in France. All articles in Mahogany are better and cheaper in the U States than in any other Country. The Damasks of India are perhaps equally beautiful with silk of France for curtains and chairs and cost less. The fringe can only be had here. Carpets of the finest kind can be had here but they are very expensive. Inferior kinds are better and much cheaper in England.

Although this is anything but a public letter yet I cannot help expressing my wish that you would lose no time in looking into the question of our claims and giving me your opinion as to

[49] Sheldon was for years secretary to the legation in Paris.—*Register of Officers and Agents in the Service of the United States, passim.*

the course I ought to pursue. You will perceive that four or five of my letters on that subject remain without any answer. Indeed I find the Baron de Damas so entirely unacquainted with the subject, and so unwilling to take the trouble of examining it, that I had but little expectation that an answer would be made until the Chambers had adjourned and the bustle of the Coronation had gone by when Mr Villele[50] would be at leisure to bestow his attention on the question. You may refer to his letter to Mr Gallatin for his opinion which I have reason to believe has underwent no change. I have no ground for a hope that he will agree to discuss the claims, unless in connexion with the 8 article of the Louisiana Treaty, and in case we consent to that order of negotiating he will make our admission that the treaty has been broken a preliminary to the adjustment of the claims. The French come in for so small a portion of the navigation between the two countries, that it is not impossible that the Note you have received from the Baron de Mareuil that the Convention will be terminated may be acted on—and that we may have that troublesome question again to adjust. I have heard nothing said on the subject here, and I believe the merchants are generally satisfied with the present state of things.

I have read a letter of a late date from Mr Nelson[51] who is waiting with great impatience for the arrival of Mr. Lowell in order to return to the U States. He has passed a very unpleasant time in Spain, and has had no society from which he could derive advantage or pleasure. Mr Hughes[52] had not yet arrived at the Hague but is hourly expected.

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[50] Jean Baptiste Séraphin Joseph de Villèle (Comte), a French statesman and financier, was born in Toulouse, France, August 14, 1773, and died there on March 13, 1854. In his early life he spent some time in the navy; became a leader of the Ultra-Royalists; entered the cabinet in 1820; became minister of finance in 1821; and was premier from 1822 to 1828.—*Century Dictionary and Cyclopedia*, IX, 1038.

[51] Hugh Nelson was born in Virginia, September 30, 1768, and died in Albemarle County, Pennsylvania, March 18, 1836. He graduated at William and Mary College in 1790; was a representative in the state legislature, speaker, and judge of general court; was a presidential elector for Pinckney in 1809; served in Congress from Virginia from November 4, 1811 to January 14, 1823; and was minister to Spain from January 15, 1823 to November 23, 1824.—Appleton, *Cyclopaedia of American Biography*, IV, 402.

[52] Christopher Hughes was born in Baltimore, Maryland, in 1786, and died there on September 18, 1849. He became secretary to the legation at London, February 3, 1814; was transferred to Stockholm, September 26, 1816; and when Jonathan Russell retired in 1818 Hughes was left in charge, and for thirty-five years the United States had no minister there. Hughes was made chargé, January 20, 1819, and retired on July 15, 1825, having been made chargé to the Netherlands. He returned to Sweden as chargé, March 3, 1830, where he remained until September 9, 1841; was recommissioned in 1842, but returned to the United States in 1845. He was a close friend of Clay and John Quincy Adams, moved in the best of society, and was known for his wit and humor.—Appleton, *Cyclopaedia of American Biography*, III, 302-303.

The Arabian Manuscript was placed in the hands of a Professor of Oriental languages for translation. He did not consider it worthy of a translation, as it contained nothing of an interesting nature. He has made out in French the substance of what it contains from which you will perceive that a translation of it could not answer any valuable purpose.

Mrs. Brown is well and joins me in love to Mrs Clay. I am Dear Sir

Yours sincerely

JAMES BROWN

Honb Henry Clay—

Paris July 15, 1825

Dear Sir,

In my former letters you have been informed of the bad state of my health. I was attacked by a severe renewal of my rheumatism of a more painful and inflamatory character than I had heretofore felt, and for several weeks I was unable to leave my chamber. I am now nearly free from pain, but have been left so weak and reduced that my physician has enjoined it upon me to resort to the hot sulphur mineral waters in Savoy at a short distance from Lyons. I had nearly finished my preparation for the journey when I received your dispatch on the subject of the war between Spain and her Colonies. Believing it to be important that the views of the President should be communicated to the Government of France with the least possible delay I postponed my journey and endeavored to comply with your instructions by submitting the subject to the consideration of the Minister of foreign Affairs. You will receive by the ship which sails on the 25 a dispatch which whilst it will prove that the Government here has been put in possession of the leading arguments in favor of the policy recommended by the President, will throw but little light on the course which France may be disposed to pursue. The public opinion in France is in favor of that policy, and certain circumstances of a financial nature, are calculated to recommend it to the Ministry. The popularity of Mr de Villele in a great measure depends on the scale of the rentes and the success of a law passed at the last Session for the conversion of the five per cents into four per cents. The report of the acknowledgment by the Government, of the independence of St Domingo has produced

a favorable change in the price of stocks, and there can be no doubt but that they would advance considerably upon an acknowledgment by France of the Independence of the New Republics. I am inclined however to think that the difficulty in taking the step is opposed by the Governments to the North and East, and that if they could be induced to yield, Spain would be compelled to abandon the further prosecution of the war. I have not the least doubt of the disposition of England to urge the policy recommended by the President, but England is not viewed in the most favorable light by the Continental sovereigns, and perhaps the idea that we are too friendly with that power may in some degree lessen our influence. Perhaps instead of saying that this circumstance lessens our influence, I might be more correct in the remark that it increases our weight, but impairs the friendly feelings which some of the powers entertain for us.

Mr Sheldon has been for some time in such bad health as to have thought proper, by the advice of his Physician to pass a fortnight in the Country. He has returned to Paris and will remain during the four or five weeks of my absence. I am sorry that I am compelled to take this journey but as my absence will be so short, I am sure the public interest will not suffer by it. You will oblige me by mentioning the subject to the President and solliciting him to excuse the liberty I have taken of being absent without leave. I have suffered so much, that I think myself entitled to a short absence when by it I may avoid decrepitude, and render myself more useful on my return. A son of Mr Barnet[53] our Consul has been employed to assist Mr Sheldon until his health is restored.

Mrs. Brown sends to Mrs. a small box which was given to the Agent of the Packet Ship Don Quixote which sails this day from Havre to New York. You may find it by addressing a letter to the agent of the line of Packets at New York or perhaps he will inform you of its arrival. Mrs. Brown enjoys excellent health and joins me in affectionate remembrances to Mrs. Clay

I am Dear Sir very sincerely

Your faithful Serv't

JAMES BROWN

The inclosed letter is from Mrs. Brown's housekeeper (a very good and trusty woman) to her husband on board Capt. Hulls

[53] Charles Barnett of New Jersey was consul at Antwerp for years.—*Register of Officers and Agents in the Service of the United States, passim.*

vessel. If Mr Southard will let it go when he sends out his dispatches I would be much obliged to him.

Honl. Henry Clay

Paris, August 26, 1825.

Dear Sir: (Private)

My former letters will have made you acquainted with the state of my health which has been much worse generally since my arrival in Europe than it had ever been in Washington. I was confined to my house for nearly three months, and my Physician, after applying to my obstinate disease all the resources of his skill, gave me distinctly to understand that unless I could be relieved by the use of the Mineral Waters, I had but too much cause to apprehend that I should be reduced to a state of miserable decrepitude. With such an alternative I could not hesitate to decide on visiting the Waters, and I had made every preparation for my journey when I received your letter containing a copy of the Instruction sent to Mr Middleton[54] relative to the war between Spain and her Colonies. I felt some difficulty in deciding whether I would not wait until Mr Middleton should have laid the subject before the Emperor and then mention it to the Minister of foreign affairs in this place. But as your instructions were silent as to the place and time of bringing forward the measure, and so I thought it possible that if the policy recommended by the President should not be favorably received by the French Government, it might prevent Spain from sending additional troops against her Colonies, I concluded to have a conference immediately with the Baron de Damas,[55] the result and nature of which you have been made acquainted well by my dispatch of which a duplicate is sent with this letter. Since my return I have visited many of the ministers of the Continental Governments, and think that their opinions have undergone some change on the subject of Spain and her Colonies. Some of them who once thought that the Mother

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[54] Henry Middleton was born at Middleton Place in South Carolina in 1771, and died in Charleston on June 14, 1846. He served in the legislature from 1801 to 1810; was governor of South Carolina from 1810 to 1812; was a Representative in Congress from December 4, 1815 to March 3, 1819; minister to Russia from April 6, 1820 to August 3, 1830; and was an outstanding leader of his state. He possessed attractive manners, maintained generous hospitality at Middleton Place, and was the center of social life in his state. He left a large family and his sons, Arthur, John, Izard, Edward, and Williams served either their state or nation in diplomatic, naval or political offices.—Appleton, *Cyclopaedia of American Biography*, IV, 317.

[55] Anne-Hyacinthe-Maxence Damas (1785-1862) was a French general and statesman. After engaging in the Spanish campaign he was made minister of war in 1823, and afterwards served as French minister of foreign affairs in the Villele ministry from 1824 to 1828. —Pierre Larousse, *Grand Dictionnaire Universel du XIXe Siecle*, VI, 35.

Country possessed the power to reduce them to obedience, now acknowledge their mistake and admit their capacity to maintain their independence. So soon as this fact is generally admitted, it will follow, that a general wish will prevail to extricate Spain from a war which so long as it continues will exhaust her few remaining resources, and protract the period of her return to peace and prosperity. As a perfect union yet prevails among the great powers any communication made to one of them is immediately known to all, and I have no doubt but that the conversation which I had with the Baron de Damas on Spanish affairs was immediately made known to each of the Ministers of Austria Russia and Prussia in all its details. Events which are constantly occuring in Spain, and which are calculated to prove the weak distracted and declining state of that Monarchy, will at this moment perfectly recommend the course of policy advised by the President, and induce the Sovereigns to advise its adoption.

Accounts from Madrid to the 20 have arrived which represent the condition of the Kingdom as being more wretched than it has ever been since the last revolution. A plot has been discovered to dethrone the King and place the Crown on the head of his brother. Many of the most distinguished persons in the State and Church are said to be implicated. The Swiss troops have been ordered from Madrid to S'n Ildephonso for the greater security of the Court, and the King has issued a proclamation announcing severe punishments against all who are concerned in the Conspiracy. Bessieres, whose Monarchical principles, and loyalty, have been the subject of so much praise, as well in Spain as in this Country has left Madrid and placed himself at the head of a small corps of the malcontents with the professed purpose of rescuing the King from the power of his Ministers but with the real design of forcing him to abdicate in favor of Don Carlos. With the aid of the French troops these insurrectionary movements will no doubt be supressed, but the arrests, imprisonments, proscriptions and banishments which will follow, will add fresh fuel to the flame of discontent, and produce new plots against the Government. All attempts to raise money, either by wars or taxes have been abortive, and the soldiery from whom pay has long been witheld are becoming mutinous and will soon be ready for revolt. Under circumstances so very distressing to Spain and at a moment when her affairs are nearly as desperate as they can

be, I cannot but hope that the course of policy advised by the President will be approved by the great Continental powers and acquiesced in by the Spanish Monarch. At all events the proposal will do credit to our Government, and afford convincing proof of the wisdom by which her Councils are directed. Having now nearly reestablished my health, I shall be able to mingle again in society, and have frequent occasions to see and converse with those whose opinions and advice have great weight on this subject, and I shall not fail to use my most strenuous efforts to give to the policy of Spain a judicious direction.

The recognition of St Domingo by France however it may operate in other respects, will have a favorable effect in relation to the New Republics. It is a first step on the part of France towards recognizing their Independence. Having afforded the example in emancipating her own Colony, France may now advise Spain to follow it, and to this course the Government will be shortly urged by the public feeling which is decidedly in favor of it. Addresses have poured in from all the Commercial cities urging the adoption of that policy and complaining that England, in consequence of the unwillingness of France to acknowledge the new Republics would enjoy the exclusive advantage of their trade. To this suggestion the answer of the Ministerial papers has already been, that French trade to those countries could be carried on as advantageously without as with a recognition of their sovereignty, and that England and the United States had derived no advantages from their treaties with those former colonies. An intimation which has lately appeared in the English papers, that the trade of such nations as shall continue to decline acknowledging the existence of the new Governments would be subjected to additional duties has excited some alarm and will increase the anxiety of the French that their Government should no longer delay the recognition.

The policy of Great Britain corresponding as I believe it will with that of our Government, her efforts to terminate the war in South America will have a powerful influence when combined with those which may be exerted by the United States. The moral influence which Great Britain has acquired in Europe under the liberal administration of Mr Canning[56] will give that

[56] George Canning was born in London, April 11, 1770, and died in Chiswick, near London, August 8, 1827. He was a celebrated English statesman and orator; entered Parliament in 1794; was Secretary of Foreign Affairs, 1807-1809; President of the Board of Control, 1816-1820; Secretary of Foreign Affairs, 1822-1827; and Premier in 1827.—*Century Dictionary and Cyclopedia*, IX, 211.

power more weight than it had when a Member of the Holy Alliance or connected with it for certain objects.

We have received no very late intelligence from Greece of an authentic character. The general impression however is that the war has taken an unfavorable turn for the Greeks and that unless aided by some other power, they must soon be reduced to their ancient state of slavery.

Mr Sheldon who for four or five months suffered by a complaint in his breast, left Paris a few days before my return for Dieppe with the hope of improving his health by a change of air and exercise. When I last heard from him he was at Havre and had experienced but little improvement in his health from the Journey.

I shall write you again in a few days and am Dear Sir with great regard

Your most faithful serv't

JAMES BROWN

Honl Henry Clay

Paris Sept'r 13, 1825

Dear Sir (Private)

The affairs of the Peninsula,[57] which for the last twenty months have been daily going on from bad to worse, whilst they compel the European sovereigns to discuss questions of the most embarrassing nature operate favorably to the views and wishes of the President in relation to the New Republics of America. After the Message to Congress[58] in 1823 apprehensions were felt by some of our friends, that Spain tranquilized as it was said she would soon be by the intervention of France, would succeed either of her own strength or the aid of some of her Allies in her contest with her Colonies, and that even the United States might in Consequence of that Message become the theatre of hostilities. It was not however difficult to perceive in the distracted and distressed condition of Spain—in her want of any army and Navy, of money or credit, a security against such an event, and even before the making of that declaration by Great Britain which

[57] He refers to the Spanish peninsula, where the war was still going on.
[58] He refers to the famous Monroe Doctrine of December 2, 1823.—Richardson, *Messages and Papers of the Presidents*, II, 776-789.

blasted the expectations of legitimacy, I felt truly confident that the United States would escape from a War and the Colonies establish their independence.

Since the date of my last letter I have heard a great deal of conversation on this subject. Opinions once divided are now united. All now admit that the contest on the part of Spain is utterly hopeless, and much regrets expressed that the advice of England to treat with the colonies, had not been followed, at a time when the prospects on the part of Spain, might have induced the Colonies to pay for a recognition of their Independence. It is even at the present hoped by many that the New Republics might be persuaded like the Haitians to purchase an acknowledgment of their independence.[59]

The situation in which France is placed by the part she has taken in Spanish affairs is generally considered as embarrassing if not alarming. All agree that matters cannot safely rest as they now are, and that Something must soon be done in the relation to Spain. Two plans are proposed and each has its advocates and opponents.

It is proposed, that as France has committed a gross mistake on her invasion of the Peninsula, she shall now retrace her steps, withdraw her troops, and leave the conflicting factions to try their strength, and after the struggle to settle down under that form of government which will be preferred by the strongest party. It is true that the struggle may be long and sanguinary—that scenes the most atrocious and revolting to humanity may be exhibited, but it is contended that this must equally happen under any course of policy which can be adopted, and that a reconciliation of parties is more probable when the people are left to themselves than when their Garrisons are filled with foreign troops. The opponents of this plan insist that in the present highly excited state of party spirit, it would be disgraceful to France to with-

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[59] For more than a quarter of a century France had been unable to conquer Haiti, but she would not recognize her as free. In 1823 President Boyer opened negotiations with France looking towards recognition, but the plan failed because Louis XVIII wished to reserve the right to control the foreign affairs of Haiti. In 1825, shortly after his accession to the French throne, Charles X sent to Haiti a menacing fleet, the commander of which presented terms of settlement in the form of an ordinance insultingly worded instead of a project of a treaty. By its terms France agreed to recognize Haiti as free upon the payment of 150,000,000 francs in five annual installments and the granting of special commercial privileges to Frenchmen. Thinking that independence was at stake, Boyer agreed to the terms; and to meet the first payment he borrowed in France 30,000,000 francs at exorbitant rates. This ended the payments for a while, but Haiti was let alone until after the accession of Louis Philippe to the French throne. Realizing that Haiti could never pay such a huge sum, the new king in 1838 signed with Boyer two treaties, one of which recognized Haiti as independent, and the other reduced the total amount that Haiti owed to France to 60,000,000 francs, payable in thirty years.—Mary Wilhelmine Williams, *People and Politics of Latin America*, 361.

draw her troops—that the exasperated Royalists the priests and the rabble, exasperated by the restraints which have lately been imposed upon them, would in the absence of the French armies commit every species of outrage on their enemies, and that the disgrace of what might follow would rest upon the French character.

It is proposed by another class of politicians to sustain the present Minister of foreign affairs in Spain as long as he follows that system of moderation which it is said he adopted under the influence of the Allied Sovereigns, and which has made him so obnoxious to the exalted party. These contend that if fresh additional troops are sent into Spain, and the opposition boldly met, it will soon be crushed and Spain become tranquil at least if not prosperous. The national character, they urge, prescribes this course, and that France in pursuing any other would expose herself, as well to the charge of inconsistency as to that of having rendered the internal state of Spain worse than she found it. She would be responsible for all the bloodshed and calamities which would follow her evacuation of Spain. The adversaries of this plan observe that the objects which France had in view in her occupying Spain were to liberate the King and people from a Constitution it was believed had been imposed upon them contrary to her wishes and against the will of a great majority of the Spanish people. The allies of France in their campaigns in the peninsula were the Ultras the Nobles the priests and the lowest classes of the people, and the success which followed proved that these constituted the strength of Spain, and that the majority of the nation was opposed to the Constitution. The discontents now discoverable in Spain arise from a cause similar to that which produced them in 1822. The opposition was then directed against a representative Government to which they were not disposed to submit and over which they had not the controul. The same persons are now opposed to a *Ministerial* Government which acts as they think under foreign influence, and contrary to the will of the Sovereign and of the Nation. A deep rooted and widely diffused hatred against the Ministry exists, and will sooner or later display itself in acts of resistance in which four fifths of the nation will take a part. In attempting to repress these struggles by force, France will act an inconsiderable part and place herself in a delicate situation. Instead of fighting to liberate the King and the Nation, she will fight to impose upon both a government

odious to them. Her former friends and allies will be her enemies, and it will be said that she is waging a war against the King and Nation and religion. In this contest she would have much to lose and nothing to gain. The waste of blood and treasure would be immense and the event doubtful. The defeat of Bonapartes armies in Spain, the overthrow of the Constitutionalists, the success of the French invasion, all prove that Spaniards, on their own soil, commanded by Chiefs of their own choice, and incited to action, by religious fanaticism, are by no means contemptable enemies.

I have briefly given you the two plans for quieting Spain which have been the subject of Conversation here. Whatever course may be prefered I feel a strong persuasion, that an attempt will shortly be made to persuade Spain to make peace with the American Republics. An article published a some days ago in the Courier Moniteur and which is believed to be official, after bestowing great applause on the Ministry for recognizing the independence of Haiti observes that the views of the King in that Act were extended to the Continent of America and the great example would not be lost to France. The London Courier has also stated that the European Sovereigns would soon take some deliberation on that subject. In the course of a very few weeks we shall be enabled to speak with greater certainty on this question as the situation of affairs is urgent and must soon compel them to come to a decision.

Our accounts from the Greeks are, as you will discover by reading the newspapers, very vague and contradictory. Their situation is I fear very critical and alarming and if the Vice Roy of Egypt[60] succeeds in landing another army I fear they will be unable to continue their resistance. Some bustle has been excited here by a rumor that they were about to place themselves under the protection of England. It is now said that this proposal was only made by some of the most exposed parts of Greece which apprehended invasion, and wished to shelter themselves under the protection of Great Britain. Unless assistance can be sent

[60] In the first part of the war Turkey seemed entirely unable to conquer Greece, and, although the ruler of Turkey feared Mehemet Ali of Egypt, he had to turn to him for assistance. He had a more powerful fleet than that of Turkey, and had organized an army of Arabs, Negroes and fellahs. He had introduced into it by means of French officers the military system and discipline of Europe. The Sultan might have thought that a foreign war would be his best way to deplete the forces of the Pasha of Egypt. The Pasha was given supreme command by land and sea of the Ottoman forces and was promised Crete in return for helping to suppress Greece. Ibrahim, the adopted son of the Pasha of Egypt, was the leader and he set about to conquer the islands first. He carried horror and destruction everywhere he went.—Fyffe, *op. cit.*, II, 301-304.

I apprehend the Greeks must yield. It is rumored that Lord Cochrane[61] is preparing to sail, and that two or three armed vessels bought and manned in Sweden are now in Ireland waiting to go under his orders.

I am happy to inform you that Mr Sheldons health is improving and that he may soon be able to return to Paris.

I am Dear Sir with great Esteem

Your very faithful servant

JAMES BROWN

Honl Henry Clay
Secretary of State

Paris Sept'r 19, 1825.

Dear Sir,

Since my return from Aix my health continues to improve and if the incessant fall of cold rains which we usually experience during the winter months, and the sudden changes of air to which I may be exposed by late visits *of duty* at parties where no apology but that of bad health is admitted, do not produce a renewal of my complaint, I may perhaps pass the weary season here with some share of comfort. Should I unfortunately be once more confined by the same complaint, a sense of the duty I owe to my Country will compel me respectfully to request the President to name my Successor, and to permit me to seek a climate where I may find, if not a cure, at least some alleviation of my sufferings.

It afforded me great pleasure to learn by the perusal of a file of Lexington papers, that every step of your journey West

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[61] Thomas Cochrane was born in Annsfield in Lanarkshire on December 14, 1775, and died at Kensington, England, October 31, 1860. This Scotch nobleman, the tenth Earl of Dundonald, became vice-admiral on November 23, 1841, admiral on March 21, 1851, and rear-admiral of the United Kingdom on October 23, 1854. On May 6, 1801, in the *Speedy*, a small, partially armed vessel of fifty-four men he captured the Spanish frigate *Elgamo* of 600 tons and a crew of 319 men. He entered Parliament in 1806; attacked the French fleet, April 11, 1809, in Aix roads and destroyed four of her vessels; and in February, 1814, he was accused of complicity in originating and circulating a fraudulent report of Napoleon's death for speculative purposes. Although he claimed to be entirely innocent, he was imprisoned for a year, fined, and expelled from the navy and from the House of Commons. His constituents at once returned him to Parliament, but he accepted the invitation to organize the navy of Chile, arriving at Valparaiso in November, 1818. In subsequent campaigns, with only one frigate and a few old vessels, he neutralized the powerful Spanish fleet; took Valdivia in February, 1820; transported San Martin's army to Peru; blockaded Callao and cut out a Spanish frigate from under the guns of Castle, November 5, 1820; and contributed greatly to the capture of Lima. Owing to a quarrel with San Martin and other Chilian authorities he left their service, and from March, 1823 to 1825 he commanded the Brazilian navy, during which time he recovered Bahia and Maranhao from the Portuguese. When accused of insubordination, he resigned, and from 1827 to 1828 he commanded the Greek navy, but did little. In 1832 he was virtually exonerated from the charges on which he had been imprisoned in 1814, and he was restored to the Order of the Bath and to his rank in the British navy.—*Century Dictionary and Cyclopedia*, IX, 263.

was a triumph over your enemies. I was not less pleased at discovering that the election of Mr Adams which gave such universal satisfaction in Europe is now generally approved even by those who once strenuously opposed it. If his administration shall be fairly tried by its measures, I have every reason to believe that it will daily become more and more popular. At home our affairs are prosperous to a degree which excites the envy or admiration of all Europe, and when considered in a broad scale our foreign relations are in a more favorable condition than we could, two years ago, have anticipated. All dangers of war, by the combined Monarchs against the new Republics seem to have vanished. America is permitted peaceably to preserve its own interests and promote its own prosperity. The Holy Alliance finds full employment in tranquilizing Spain and in settling the affairs of Greece without attempting to crush the spirit of liberty in the American Hemisphere.

Spain and Greece at this moment present questions of absorbing interest to all the European Courts; and whether they can be adjusted and the co-attention of Sovereigns remain unbroken, is extremely problamental. It is certain that a portion of the Greeks has claimed the protection of Great Britain and that Commodore Hamilton has transmitted their claim to the British Government. This measure is disapproved by the French who believe that it has been brought about by the intrigues of British agents. Remonstrances of a strong character will probably be made to the British Government against this measure by more than one power. By many it is thought that England will decline the protectorship of Greece and confine herself as heretofore to a strict neutrality. By others it is believed that Great Britain, disclaiming all views of aggrandizement, will represent the application made to her by the Greeks as spontaneous and unsollicited and as prompted by a sense of impending danger, and will ask how an appeal to her generosity can be rejected when the consequence of that rejection would be the massacre of thousands of men women and children by their relentless and exasperated oppressors. She may say that this protection cannot be witheld without subjecting the British Nation to an awful responsibility—that all Christendom would hold in abhorance a Government which could refuse protection under such circumstances to their fellow Christians—that the English who feel a profound sympathy in the cause and suffering of the Greeks would withdraw their confidence from Ministers

who could tamely witness the destruction of so many human beings by the hands of unfeeling barbarians—That this protection extended only for the moment, and for the noble purposes, Britain would continue to discuss, and if possible, adjust, in conjunction with all the powers who are interested in that question. If the continental sovereigns shall be satisfied with the explanations the negotiations may proceed without interruption, and England may perhaps derive some additional weight from her new position in relation to Greece. If the explanations are rejected then Great Britain will perhaps be placed in a situation somewhat critical and embarrassing. If she refuses the protection claimed by Greece Ministers may incur much censure and lose a great deal of their popularity. If protection is granted she incurs the danger of a war with some of the Governments of Europe which I believe she anxiously wishes to avoid. It is evident that frequent conferences are held on this subject which I am told is one on which there is much difficulty in reconciling the views of the principal powers. It is believed by many that if Greece can sustain herself until the end of the present campaign that other parties will be added to the number of the belligerents.

In my last I stated some of the difficulties encountered by those who have taken upon themselves the management of the internal affairs in Spain. The arrests at Madrid, of which a list has been published, prove that the conspiracy of Bessieres[62] has had more extensive support than was at first believed. Many of the persons near the King comprehending several Ecclesiastics have been arrested and imprisoned, or sent to their churches. The hope found in the possession of Bessieres and of his confederates must lead to new arrests and widen the breach between the Ministry and the Ultra royalist party. By some it is said that the detection and defeat of the plot for dethroning the King, will tend to improve the condition of Spain that the influence of the clergy on the discovery of their ambitious intrigues, will be diminished, and a favorable occasion presented, for either selling or taxing their estates, to aid the Treasury—That by a little salutary rigor in punishing some of the leaders, the spirit of oppo-

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[62] Madrid itself was threatened by a corps of freebooters. Bessieres, the Spanish commander, sent his surrender to the French leader, the Duke of Angouleme, while the French were still some distance from Madrid, begging them to come as quickly as possible to save the city from pillage. The message had scarcely been sent when Bessieres and his bandits appeared in the suburbs. The Governor drove them back and kept the royalist mob within the city at bay for four days longer. On May 23 the advance guard of the French army entered Madrid and it was saved.—Fyffe, *op. cit.*, II, 219.

sition will be crushed, and a party in favor of milder measures, and more liberal administration of Government be formed and predominate—that to bring about this state of things, all the influence of the Courts of Europe will be exerted—the armies of France retained in occupation of the strong positions, and additional troops placed on the frontier prepared to enter Spain if their services are required—that Spain following the example of France in relation to St Domingo will soon consent to emancipate her Colonies—that for this recognition a large sum will be paid to her by the New Republics—That England and France will guarantee to Spain Cuba and Porto Rico—and that with these valuable possessions abroad, and with the return of peace, and revival of industry at home, credit would be reestablished, and the prosperity of the Peninsula restored.

There is another party who view the subject in a very different light. They insist that tranquility can be restored in Spain only by permitting the King to pursue freely that course of policy with which he commenced when liberated from the restraints of the Constitution and the influence of the Constitutionalists. But the party in Spain favorable to this policy constitutes the great majority of the Nation—that any attempt to impose upon the nation a more liberal system of Government will always be resisted—that the resistance being divided by the Nobles and Priests will be formidable, and to be met, would require the presence of large and expensive armies of foreign troops—that although it may become necessary for Spain to make peace with her Colonies, yet that the hope of obtaining money from them to any amount sufficient to relieve her from her pecuniary embarrassments is visionary and chimerical—that to dictate and enforce in Spain measures disagreeable to the King and to a vast majority of the Nation would be a violation of the principle which induced the European Sovereigns to interfere in her affairs—that the remaining factions of Constitutionalists and friends to more free systems of Government must be completely crushed—and that this can be done only by employing the French troops in cooperation with well disposed Spaniards for that purpose or by withdrawing the foreign armies and permitting the strongest party to obtain the ascendency. According to those who entertain these opinions the execution of Bessieres and confederates and all the arrests which are daily taking place are acts impolitic and unjust and calculated

to expose the French troops, by a reaction on the part of the Spaniards, to very imminent danger.

It is not easy to predict what will be the course of policy recommended to Spain by the Allies. At present the disposition to support the administration of Zea Bermudez seems to prevail and efforts have been made to induce the King to remove from his confidence all those persons who oppose that ministers views. Calomarde however yet retains his place and as he is avowedly at the head of the opposition his remaining in power indicates either timidity on the part of the King produced by a consciousness of the strength of that party, or a secret bias in favor of the measures which that Minister has constantly advised the King to pursue. One opinion only seems to prevail on the subject of the Colonies. They are believed to be irrevocably lost by the Mother Country. One wish is universally expressed in France—that of opening commercial relations with the New Republics. It is generally believed that the influence of France and England will be employed to induce Ferdinand to acknowledge them, and the papers say that the subject is one much agitated in the political circles at Madrid. So long as Spain had armies on foot in the American Continent the Spaniards were flattered with the hope of success, but now that the officers who commanded those armies have returned to Spain without their troops, the exact state of affairs is known, and the nation will not be so strongly opposed to recognize the New Republics.

You will find in Journal des Debates of this day a pretty correct account of what took place at Stockholm in relation to some armed vessels sold by Sweden to the Agents of the Colombian Government. Two of these vessels were lately in Ireland on their voyage to America. I have understood that the King of Sweden refused to rescind the contract for the sale of the other vessels until he had received assurances that the Emperor of Russia had requested it as a personal favor.

I had not returned from Savoy when Mr Everett[63] passed through Paris on his way to Madrid. I regret exceedingly that

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[63] Alexander Hill Everett was born in Boston, March 19, 1790; graduated at Harvard; taught school a year; studied law in the office of John Quincy Adams; became a writer for magazines; accompanied John Quincy Adams to Russia in 1809 and was attaché there for two years; and after traveling in Europe he returned to Boston in 1812 where he practiced law and continued to write. He was attaché to the legation at The Hague, 1815-1816, and chargé there from 1818 to 1824; arranged claims there arising from the French Revolution; and continued to write books and magazine articles. He returned to the United States in 1824, but was sent to Spain in 1825. After his return to the United States in 1829, he very ably edited the *North American Review* for five years. In 1830 he entered the Massachusetts senate; became president of Jefferson College in Louisiana in 1841, but was forced to resign on account of ill health. He published many articles and volumes and made many addresses. —*National Cyclopaedia of American Biography*, IX, 256.

I did not meet him. I know he possesses in a high degree the confidence of the President and having conversed with him fully before he embarked I might have obtained from him some useful information.

You will find that I addressed a letter to the Minister of foreign Affairs in Oct last with the view of inducing the French Government to separate the question of our claims from that coming under the 8th art of the Louisiana treaty. Although I have repeatedly as well by letters as at personal interviews requested him to decide this preliminary question he has never yet sent me an answer. As I consider it very important to arrive at some knowledge of his opinion on the question of our claims, I have frequently endeavored to induce him to converse on that subject. He has always evaded it declaring that he had not since he entered his present office had time to examine the question. I have asked an interview for tomorrow, the object of which is to press him to answer my letter. If he is opposed to our claims we will have little prospect of their being granted by the present Ministry. Mr de Villele I have little doubt has always been opposed to any Indemnity. I find on an attentive perusal of Mr Gallatins correspondence, that notwithstanding the frequent changes of Ministry with the exception of the Duke de Richelieu[64] and the Duke de Montmorency who were disposed to grant *something* all the Ministers were opposed to granting Indemnity to our citizens. I find nothing in the State of Affairs here to induce a hope that the feelings of the Government are changed in relation to that question. If we have not been met by a flat refusal on several occasions it has been because we have been apprized of the sentiments of the Ministry and have found it most prudent to wait a more favorable moment. The present Ministry is said to be very unpopular. Much the greater number of the Journals and those possessing the most exclusive circulation attack them severely and predict their downfall. If their continuance in office depended upon a popular vote nineteen twentieths of the people would be found in opposition. It is said however they possess the entire confidence of the King. The present Chamber of Deputies to whose elections Ministers lent all their aid has given them a

[64] Richelieu, Duc de (Armand Emmanuel du Plessis) was born in Paris, September 25, 1766, and died there on May 27, 1822. He was the grandson of Marshal Richelieu. He emigrated about 1789 and was in the Russian service during the French Revolutionary and Napoleonic periods, being appointed governor of Odessa in 1803. He returned to France in 1814; became Premier in 1815; was ambassador at the Congress of Aix-la-Chapelle in 1818; retired from office in 1818; but was again Premier from 1820 to 1821.—*Century Dictionary and Cyclopedia*, IX, 855.

strong support, and as many of the Members could only have been elected by Ministerial influence they dread a dissolution of the Chambers and the result of a new Election. Still it seems to be the general opinion that the failure of the conversion of the public debt from 5 to 3 per cent, the favorite plan of Mr de Villele will deprive him of his majority in the Chamber of Peers. As the strongest portion in the two chambers of what constitutes the opposition belong to the Ultra party I do not perceive that the cause of liberal principles would gain much by a change in Ministry. It is not however probable that our claims can find stronger opposition from any Ministry which can be composed than I have reason to think they would meet with from Mr de Villele.

I have been very anxious for your return to Washington as it of great importance that I should as frequently as possible hear from the Government on every subject touching my duties. I shall be glad to know whether in case I find a disposition to decide against our claims I had better press for a decision or wait for a more favorable moment which a change of Ministry or in the situation of affairs may one day present. I am convinced that a positive rejection of them although it cannot cancel them or impair the right to demand or the obligation to pay has a very injurious effect. It not only uselessly disturbs the relations between the two countries, but in the answer already prepared, in the decision already given by one Ministry furnished a mode of disposing of the question to which subsequent Ministers are always willing to resort.

I have just been informed that Mr Sheldon whose health was much improved, and who has been for some weeks on the sea shore with a view of recovering it is greatly relieved, and may soon be expected in Paris. You know him well and will readily conceive how much I should regret his loss. I did fear that he was rapidly declining with a pulmonary complaint, but it is now thought that his indisposition proceeded from debility produced by a sedentary life, and by residing too long in the same atmosphere.

I have had only a few lines from Mr. King[65] since he landed in England. His health is said to have been much impaired by

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[65] Rufus King was born in Maine in 1755, and died in New York City, April 29, 1827. He graduated from Harvard in 1777; studied law, took part in the Revolution, and was in the Continental Congress from 1784 to 1786; was a member of the Constitutional Convention

the voyage. He however derived some benefit from the waters of Cheltenham and his friends think that he will soon enjoy perfect health.

It gave us great pain to find from the newspapers that your journey through Ohio had been arrested by ill health of your daughter. I sincerely hope she has recovered and that Mrs. Clay after the exemplary life of retirement at Ashland, may have nothing to damp her enjoyments in once more entering on the gay theatre at Washington. You have always had warm and kind friends and with your dispositions you are now placed in a situation where you may add daily to their number. Mrs. Adams will make the Great House more gay than it has ever been since the days of Mrs. Madison, and strangers will return to Europe not to ridicule but to boast of the reception they have met with at the Presidential residence. I often wish we were with you. There is much to admire in the gay circles of Paris, but there is a cordiality a warm heartedness in our own dear Country which I find in no other place.

The Ambassador of Austria having a larger salary than the American Minister has taken a lease for ten years of the fine Hotel where I resided last year—the Danish Minister having obtained a leave for some months has permitted me to take his place. The Hotel is more splendid than that which I formerly occupied but the situation is more retired it being in the Faubourg St Germain. I obtain it however on more moderate rent it being only 16000 frs. whilst the former one costs 23,000 pr Ann.

Be so good as to present us most aff'y to Mrs. Clay and receive renewed assurances of the friendly of Dear Sir

Your very faithful ser't

JAMES BROWN

Hon. Henry Clay
Secretary of State

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of 1787; was on a committee to settle the boundary dispute between New York and Massachusetts; and was a leader for ratification of the Constitution in the Massachusetts convention. He moved to New York in 1788 and was soon elected to the state legislature there; worked for the ratification of the Jay Treaty; was appointed to the Senate twice; was appointed minister to Great Britain in 1796, which office he retained until he was recalled by Jefferson in 1803; and then he engaged in agriculture on Long Island. He opposed the War of 1812, but supported the government after the declaration; was defeated for the governorship of New York and for the Presidency in 1816; was sent to the Senate in 1819; was a strong opponent of slavery; and wanted to retire to private life, but John Quincy Adams persuaded him to go to Great Britain as minister in 1825, where he was cordially received, but ill health forced him to return home within a few months.—Appleton, *Cyclopaedia of American Biography*, III, 542.

Paris Sept'r 27, 1825

Dear Sir,

In my conference with the Baron de Damas on the 20. Inst he alluded to the Convention between France and the United States which he seemed to consider as very advantageous to us and very unfavorable to the navigating interest of his Country. I told him that I could not perceive what bearing that subject could have on the one to which our conversation related, that I thought it extraordinary that France should not be satisfied with being placed on the same footing in relation to her navigation with that of England and Holland and other powers with whom we had commercial relations, and that as the basis of the conversation was one of reciprocity it promised to be as durable as it was just. He said that France was a sufferer by it and that her situation as it respected the Marine was in a worse situation than when the intercourse between the two countries was entirely suspended. I expressed my surprize at his remark and he immediately gave to the conversation a different direction.

Although I had not heard any thing for some time on the subject of the Convention yet from the manner in which it was introduced by the Baron, and from the strong terms in which he expressed his disapprobation of it, I cannot doubt that it is under consideration, and that we have some ground to expect that they will terminate it.

I have reason to think that several circumstances which have taken place within the last few years have a little changed the good feeling of this Government for the United States. The recognition of South American Independence, the visit and reception of General Lafayette,[66] and an impression generally felt that we are on terms of growing friendship with Great Britain may be mentioned as among the causes of this change of feeling. In this opinion I may be mistaken having formed it rather from loose

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[66] In 1824 Congress unanimously passed a resolution asking President Monroe to invite General Lafayette (September 6, 1757-May 20, 1834) to visit the United States. He sailed from Havre on July 12 and arrived in New York on August 15, 1824. For fourteen months he visited each state of the twenty-four and most of the principal cities of the country. His journey was almost an endless round of receptions and banquets. Congress voted him a township of land of 24,000 acres, practically in the edge of Tallahassee, Florida, and a donation of $200,000. He is said to have spent $200,000 in aiding America during the Revolution, for which he had not been repaid. In 1794 Congress voted him $24,442, the emoluments of a brigadier-general which he refused to accept during the Revolution. Congress also gave him the land which army officers of his rank were entitled to in the United States, but for years neither of these tracts of land was worth much to him.—Appleton, *Cyclopaedia of American Biography*, III, 586-590; *Dictionary of American Biography*, X, 538; *Publications of the Florida Historical Society*, (July, 1908), 32-34.

conversations of persons not connected with the Court, than from any thing intimated to me by those concerned in the administration.

You will find in my dispatch which goes with this letter that the present Ministry is prepared to reject our claims, as they say they will those of Denmark.[67] It is possible that I may receive that rejection notwithstanding the letter I wrote to Baron de Damas on the 21. Should he delay giving me an answer I wish you to advise me whether I ought to press for one or endeavor to postpone a decision in the hope of a change in the Ministry. A rejection of our claims, with the proceedings in our House of Representatives to which it will lead, may have an unpleasant effect on the relations of the two countries whilst it can be of no benefit to the claimants. In taking such a step I should wish to have the advice of the Government as the state of things as well at home as abroad ought to be considered.

I send by the Vessel a despatch from Mr Everett which I have this moment received.

I am Dear Sir with great regard

Your faithful Servant

JAMES BROWN

Hon. Henry Clay
Secretary of State.

Paris Oct: 13, 1825

Sir

I had the pleasure of receiving your letter sent by the Brandywine, and most sincerely sympathize with you and Mrs. Clay in the sad calamity you have suffered in the loss of your dear little daughter.[68] She had attained that age at which children are particularly interesting, and in the absence of her sisters would have been for many years an agreeable companion to her mother. These however are misfortunes which it pleases Providence to inflict, and for which time and resignation are the only remedies. It has perhaps been fortunate that this melancholly event has been succeeded immediately by the variety of travelling and the occupation attendant on forming a new establishment. Those

[67] In 1830, after a long series of negotiations, a treaty was made with Denmark providing for the payment of claims amounting to a total of $650,000, and in 1832 a similar treaty was made with the Two Sicilies providing for the payment of a smaller sum to care for the claims due American merchants growing out of the French Revolution.—Willis F. Johnson, *America's Foreign Relations*, I, 376.

[68] Clay had two daughters to die very close together. On September 20, 1825, George Eustis wrote Clay from New Orleans that his daughter had died of fever on September 18, 1825, and that the news of the death of her sister had had a depressing influence upon her.—Clay Papers, Library of Congress.

serve in some degree to divert the mind from its affections, and to blunt the edge of misfortune.

Mrs. Brown feels much pleasure in executing your order and has written to her sister on that subject. The funds can be arranged without difficulty. With respect to Mirrors ours was left in the keeping of our excellent friend Colo. Bomford who was so kind as to promise to permit them to remain in his house so long as they were safe, then to remove them to his own dwelling in case of their being exposed to injury where he left them. Mrs. Brown says we left no orders for selling them and if you think they will suit you Colo. Bomford will oblige me by giving them to you until my return, when I can either bring you others or supply myself here as we may understand each other on that point.

A few weeks ago it was generally agreed here that the condition of the Greeks was almost hopeless. Menaced with destruction on all points they invoked the protection first as it is said of the French then of the British Government. . The commander of the English Squadron transmitted the Memorial to his Government. A Cabinet council after having considered the subject published a Proclamation enjoining the observance of the strictest neutrality. This measure in common with almost every other emanating from the present Ministry, seems to be approved by the Nation, and subsequently the hopes of assistance from that quarter to the Greek Cause are blasted. The repulse of two or three assaults on Missolonghi, and an insurrection in Candia, have revived in some degree the hopes of Greece, and it is now believed that she will hold out until the end of this Campaign.[69] This

[69] The town of Missolonghi was besieged, but the people were determined to die rather than capitulate. The Turks and Egyptians attacked by land and by sea, but the garrison and inhabitants met every movement of the enemy with the most obstinate resistance. Reschid broke through with his artillery and then threw mass after mass into the breeches which he had made. For month after month the assaults of the Turks were repelled until the Hydriote squadron forced the Turkish fleet to withdraw from its position, which made the position of Reschid himself one of considerable danger. The Egyptian army was then called from the Morea to do the work. Early in 1826 Ibrahim set to work to do what the Turks had failed to accomplish, saying he would capture the town within two weeks. The Turks had spent nine months and were far from victory yet, for when they met the Greeks in hand to hand combat they could not win. He had a fleet of flatboats constructed and launched on the lagoons so as to cut the town off from the sea, which completely surrounded the town. The Greek admiral appeared, but he could do nothing, and he had to leave the town to its fate after one trial. With food exhausted and most of the best men killed, the final end came on April 22, 1826, just one year after the siege began. On that day, in accordance with a resolution long made that rather than surrender they would all die, with the exception of the old, the ill, and the exhausted, the Missolonghiots drew up at the city gates, women dressed and armed as men, and children with pistols. Preceded by a body of soldiers, they crossed the moat under fire, but the vanguard cut through the Turkish line. At this time there was a cry of confusion by those on the bridge to retreat, and part of the noncombatants and of the rearguard returned to the town. The party that went on would have escaped, but treachery led to the Turks knowing how they were going, so Turkish and Albanian troops along the route cut them down, so that of the several thousand who started only about 1500 reached the mountains. Those who went back into the town fought bravely, and the three bands who took refuge in the powder magazines when surrounded by the Turks set fire to the magazines and perished with them. Some thousands of women and children were captured in the town and surrounding country, but the men were all dead or free.—Fyffe, *op. cit.*, II, 308-310.

however may even be doubted should the Viceroy of Egypt succeed in reinforcing the army of Ibraham Pacha to which end he is directing his most vigorous efforts. His troops are said to be in readiness to embark, and if his squadron escapes the vigilance of the Greek fleet, and a junction of the two armies is effected, the fate of Greece is very doubtful. The Egyptian troops, having been disciplined by European officers, are much more formidable than those which were employed in former campaigns. The Austrians are accused of indirectly aiding the Turks, and it is said, I know not with what truth, that French officers and French ships have given assistance in that unhallowed war by communicating information, and furnishing plans of attack on the Greeks. A great disunion prevails amongst the Greeks, it is seriously apprehended, that unless some Christian power shall interfere, the Standard of the Crescent will float on every fortress in Greece, before the end of the succeeding year. Jealousies prevailing amongst the great powers and a complication of interest real or supposed, which you can easily comprehend without my being more particular, prevent this interference, and leave the Greeks with no other aid than that arising from voluntary contributions, and sterile expressions of sympathy in their cause. It is also probable that the form of Government adopted by the Greeks tends to increase their embarrassments in obtaining the aid of other powers. Republics find few friends in Europe. They are thought to be dangerous neighbors to Monarchies and it is scarcely to be doubted that their extension would to some persons afford cause of felicitation. It is thought that considerable influence has been exerted to induce the Greeks to prefer a monarchy, and I have heard it said that but for the difficulty of selecting the person on whom to confer the crown, these measure would have recommended under circumstances which would have forbid its rejection.

The Agent of the Greek Committee, has taken great offence at the appeal made by Greece to England for protection, and in conjunction with Mr Washington, has entered a protest against it, which has been disavowed by his constituents, and proved very offensive, as well to the friends, as to the enemies of Grecian Independence. You have probably seen the protest and a letter written by Mr Washington on the subject of it. You will find in the English newspapers some very severe remarks on Mr Washington who is believed to have acted very indiscreetly and to have

improperly used the name of the U States without any authority derived from them to speak or act for them. Our Government as they say declaimed the intention of interfering in the political contests of this Continent. The measures we have pursued in relation to our neighbours have been represented by Ultra Royalists as directed by a hatred against Monarchies, but reflecting men of more moderate opinions do not consider those measures as having a dangerous tendency or as dictated by a hostile disposition to other Governments. The danger of the example upon Europe, is diminished by their distance, and the measures taken by us are justified by our proximity to the New Republics. It is really surprising to find sympathy expressed every where in favor of the Greeks and at the same time to discover with what jealousy and apprehension every measure is seen which can contribute to aid them in their struggle. England when it was thought for a moment she might extend the protection solicited, was menaced by the Ministerial papers with a war if she interfered. England has proclaimed neutrality and the same papers in a sneering manner represents her as having discovered the Greece offered but four Millions of consumers of British Manufactures, whilst Turkey offered fifty millions and therefore Great Britain determined to leave the former to be massacred by the latter.

I have just seen an American gentleman who has received letters from Alexandria and from Greece which encourage a belief that the cause of the Greeks is less unpromising than it has been represented by former accounts. The newspaper account of the attempt of Canovis to destroy the vessels in Alexandria by his blockade is confirmed. The attempt had nearly succeeded, and much consternation is felt from the apprehension that it will be repeated with more success. The expedition to reenforce Ibraham Pacha would not be ready to embark in less than two months and Canovis was taking measures to sink vessels in the channel in order to prevent their getting to sea. The army of Ibraham Pacha, weakened by its losses, was unable to act efficiently, was in great want of supplies, and could not hold out, unless relieved, for more than one month.

Gen'l Lafayette has arrived in good health at La Grange, and I sincerely hope he will wisely avoid any interference in public affairs, and content with the honors he has received in the United States, will pass the remainder of his days in tranquility.

Mrs. Brown enjoys excellent health—my own is better than it has been for three years. We beg you to present us affectionately to Mrs. Clay and to receive assurances of the affectionate regard with which I am Dear Sir

Your friend

JAMES BROWN

Honb. Henry Clay
Secretary of State

Paris Oct'r 29, 1825

Dear Sir,

The state of Mr Sommerville's[70] health has for some days been such as to give us great uneasiness, and his recovery is at this moment exceedingly uncertain. Some few days after his arrival he was so unfortunate as to rupture a blood vessel in his lungs, he was bled very copiously and confined to his bed, and it was hoped that all danger of any immediate unfavorable consequences was over. The complaint however appeared to have passed into his stomach of which the irritability became so great that the least and lightest nourishment occasioned and still occasions violent vomiting with loss of blood, and it is seriously apprehended that unless he can be speedily relieved he must sink under his complaint. We all feel a deep interest in his situation, visit him frequently, and endeavor to sustain his spirits which are of course very much depressed at his alarming situation. He is attended by able Physicians but all their remedies have hitherto been ineffectual.

The accounts from Greece continue to be more favorable and we may now consider the fifth Campaign as terminated. The country however has suffered more severely from the invasion of this than from those of former years, and if friendly powers do not come to the assistance of the Greeks, it is greatly to be feared that the next summer may bring with it a termination of all their hopes of liberty and Independence. It is generally believed that

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[70] William Clarke Somerville was born in Maryland, March 25, 1790, and died in Auxerre, France, January 5, 1826. In his early life he took part in the revolution in Spanish America; rose to the rank of major, and was given three square leagues of land by Venezuela; traveled in Europe in 1817 and 1818; was a political supporter and personal friend of John Quincy Adams; purchased the Stratford House, the home of General Henry Lee, and lived there with great elegance. He was appointed minister to Sweden and sailed on the same ship with Lafayette as he returned to France from his visit to the United States, but he died soon afterwards and in accordance with his wishes was buried at La Grange, Lafayette's residence. He provided in his will for the ultimate emancipation of his slaves. He possessed varied accomplishments, was striking in appearance, and wrote both prose and poetry. At the time of his death he was engaged to marry Cora, the daughter of Edward Livingston.—Appleton, *Cyclopaedia of American Biography*, V, 606.

Great Britain will ultimately interfere rather than that the struggle should have this unfortunate issue, but it is also thought that to avoid any collision it will have become apparent that it is the only means to save Greece from utter ruin. The friends of the Greeks seem generally to believe that the Squadron under the command of Commodore Rodgers[71] has been sent to assist them, and the French papers are filled with speculations on the views on which our assistance is to be given. It is said by some that we wish to make a commercial treaty with Greece, whilst others assign our desire to acquire an Island in the Mediterranean for the accommodation of our vessels of war as the motive of our interference. The better informed and particularly those connected with public affairs treat these as idle rumors, and either believe, or affect to believe, that the Government of the United States are too prudent to engage in a cause as remote from the usual sphere of their political influence, or to endanger their peace by mingling their interest with those of Europe.

It is believed that the Governments of England and France, have through their ministers at Madrid, very strenuously urged the King to acknowledge the independence of the new Republics, and that the subject has been repeatedly discussed by the Ministry without being brought to any decision. So much care has been taken to prevent the publication of any intelligence in the Spanish papers which could enable the people to see the utter impossibility of conquering those Republics that the impression is still general that by a vigorous effort the authority of the mother country might be reestablished and consequently the public mind is not prepared for any resignation of their independence. The party composed of the Ultras, priests, and lower classes, is very powerful, and already much dissatisfied with the measures adopted by Mr Zea, and they would avail themselves of the acknowledgment of these Governments as a fresh and powerful means of opposition. I have no reason to doubt that France is in favor of that measure but I have heard it asserted that it meets with considerable opposi-

[71] John Rodgers was born in Maryland, July 11, 1771, and died in Philadelphia, August 1, 1838. He entered the merchant marine at the age of thirteen and was made a captain in 1789; entered the navy as a lieutenant, March 9, 1798; fought in the naval war against France in 1799; and after obtaining leave he bought a vessel and sailed for Santo Domingo where he saved many lives in a slave insurrection there. He became captain, March 5, 1799; took part in the war with Tripoli, 1802-1805; made the treaty with Tripoli in 1805; and after making a treaty with Tunis he returned to the United States. He commanded at New York, 1805-1809; was on the Atlantic, 1809-1812; helped defend Baltimore; had charge of the water battery in the attack on Fort McHenry; and sank several vessels in the channel to block the harbor. He declined to become Secretary of the Navy after the War of 1812, and was made president of the Naval Commission, which position he held from 1815 to 1837, except for the years 1824 to 1827, when he commanded the Mediterranean squadron.—Appleton, *Cyclopaedia of American Biography*, V, 296-297.

tion from the Ministers of Russia and Prussia. I have had no letters from Mr Everett on that subject, but presume you will be fully informed respecting it by the dispatch from him which will go by the Packet which carries this letter.

If the standing of Ministers here is to be estimated by what we find in a majority of the public journals or hear in political circles, we should arrive at the conclusion that they could not long continue in place. But when the complaints against them are carefully examined they appear to form no adequate cause for removing them. In making this remark I do not look back to the time at which the present Chamber of Deputies was elected when it was said that much under ministerial influence and perhaps even corruption was practiced. The administration of the laws for the last twelve months has been such as to furnish fewer causes of dissatisfaction than during the same period under any former Ministry. The two principal charges against them are the encouragement given to the Jesuits,[72] and the attempt to convert the public debt from a stock bearing five, to one bearing four per cent interest. The first of these charges is confined to the liberal papers, the second is common to all the journals of opposition. It is believed by many that Mr de Villele has no very strong leaning towards the Jesuits, but that he encourages them, from deference to *higher* authority, and because, pressed by the combined opposition of liberals and Ultras, he stands in need of the support of the Clergy. With respect to the public debt as the stock was redeemable at the pleasure of the Government, to reduce the interest if possible; Mr de Villele believed he could borrow money at four per cent, and he offered stock redeemable for a long period at that rate of interest, to those who should chuse to exchange their five per cents for it rather than incur the risk of reimbursement. Very few of the public creditors converted their stocks, the great portion of them retained their five per cents. The four per cents have declined considerably, the fives remain

[72] The Jesuit Order was founded by Ignatius Loyola in 1540. They grew in wealth and influence, gaining great economic and ecclesiastical power. Their Ultramontane teaching in Europe; the friction between this organization and the Franciscans and the Dominicans; the position of this order in the universities; disputes over doctrine; lax teaching of a few Jesuits attributed to all the order; Pascal and the Jansenists hated and distrusted them; and deistic philosophy opposed them. All of these forces of opposition led to their undoing. The order was abolished in Portugal and Brazil in 1759; the Parlement of Paris in 1762 gave a decision against them, and in 1764 the King of France banished them. Spain banished them in 1767; and on July 21, 1773, the Pope finally yielded and abolished the order. When the order was reorganized in 1814 it met with great resistance in the revolutions in Europe and Spanish America, and its leaders were held up as a target. They were expelled from France in 1830, 1845, 1880, and 1901, but hundreds returned after the World War. They were expelled from Spain in 1820, 1835, 1854, 1886, 1931, and have often been expelled from other countries.—*Encyclopaedia Britannica*, XIII, 9-15.

nearly at par. The recognition of the Independence of St Domingo, and the steps taken by ministers to obtain the acknowledgment of the New Republics, will be popular measures upon which they may sustain themselves at the meeting of the Chambers. The present Ministry are opposed to our claims, and I should be gratified if I could anticipate the appointment of a New Ministry more favorable to them. I do not believe the Ultra opposition would furnish Ministers of the sentiment we wish, and it is by no means probable that the liberal opposition can gain the ascendency. If we ever obtain Indemnity for our loss we shall owe our success rather to a change of *circumstances* in the affairs of the two countries than to a change of Ministry. The Indemnities we formerly obtained were procured by the desire on the one hand to acquire territory, and on the other to exchange Territory for money. Our claims rest alone on arguments proving them to be just, and these unfortunately have not always their due weight.

Mrs. Brown has been very much occupied with Mrs. Clays commission which is not so easily executed in Paris as our friends at Washington might imagine. You may be grossly imposed on in the articles as well as in the price and therefore much care and attention is necessary. She hopes they will be put on board the vessel which will sail on the 15.

Mrs. Patterson and her sister Miss Caton have been in Ireland for some time. Mrs. B received a letter from the former stating that she would be married on the 27 Inst to the Marquis of Wellesley[73] Lord Lieutent of Ireland.

Mrs. Brown joins me in respects to Mrs. Clay

I am Dear Sir very truly

Your Obed't Serv't

JAMES BROWN

Honb Henry Clay.

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[73] Wellesley, Marquis of (Richard Cowley or Wesley or Wellesley), the second Earl of Mornington, was born at Dublin, June 20, 1760, and died in London, September 26, 1842. He was an English statesman and elder brother of the Duke of Wellington. He succeeded to the Earldom in 1781, and became a member of the Irish House of Peers; entered the British House of Commons in 1784; and became a member of the Privy Council, member of the Board of Control on Indian Affairs, and a Lord of the Treasury. He became Governor General of India in 1797; defeated the Mahratta Confederacy, 1803-1805; extinguished French influence in the Deccan; and after greatly developing British power in India, he retired in 1805. In 1797 he was made Baron Wellesley, and Marquis in 1799; served as British ambassador to Spain from 1808 to 1809; Foreign Secretary from 1809 to 1812; Lord Lieutenant of Ireland, 1821-1828, and 1833-1834; and Lord Chamberlain in 1835.—*Century Dictionary and Cyclopedia*, IX, 1054-1055.

Paris October 30, 1825

Dear Sir, (Private)

A telegraphic communication has been received from Bayonne announcing that Mr Zea has been dismissed from his place as Minister of Foreign Affairs, and the Duke del Infantade appointed as his Successor. I need not remind you that Mr Zea obtained his appointment in Compliance with the known wishes of the great Continental powers and that he has retained it by the combined influence of all the Ministers of European Courts residing at Madrid. He was believed to incline to a system of greater moderation, and to favor the introduction of a more liberal plan of Government, than have hitherto existed, and consequently he has been resolutely opposed by Calomarde, and by all the partizans of absolute Monarchy. To remove him from office was the obstensible object of the Conspiracy of Bishops, and the real one of the unceasing efforts of the Apostolic Junta. The King has for some time hesitated assailed as he has been by the clamors and intrigues of these parties on the one hand, and pressed by the representatives of the Diplomatic corps on the other. The result has proved that the influence of the Clergy is predominate, and has given a shock to the hopes of the friends of Spain on this Continent. Although the state of opinion and of parties in Spain, and the great union and strength of the absolutists was well understood here, yet this intelligence was received with a manifestation of surprise which might have induced one to believe that it was wholly unexpected. The determination of the King in this instance has created much disatisfaction. In the triumph of the Ultras England and France perceive a postponement of the recognition of the American Republics—France, danger to their troops in Spain and delay in obtaining payment of the money due from her; whilst the Members of the Holy Alliance find their plan for tranquiling the peninsula defeated, and an argument against their intervention furnished by the utter failure of success. The natural capriciousness of Ferdinand which may perhaps incline him in the course of a few days to retrace his steps, might offer some consolation under these circumstances, if there was not too great reason to apprehend that the dismissal of Mr Zea is in perfect accordance with public opinion in Spain, & that force alone could sustain his administration in opposition to it.

We may expect detailed accounts from Madrid by Mail in three or four days and I shall not fail to communicate them in my next letter.

I am Dear Sir with great esteem & regard

Your very faithful servant

JAMES BROWN

Honb. Henry Clay
Secretary of State

Paris Nov'r 12, 1825

Dear Sir,

Mrs. Brown has been forced to delay the sending of the Articles you ordered longer than she wished as some of them required to be made to order and all selected with much care and attention as to price and quality. The whole are this day sent to the Agent of the Packet Ship Montano consigned to care of the owners my friend Isaac Bell Merchant No 72 Greenich Street New York and you will find a list of the articles and prices inclosed in order that you may effect Insurance if you think proper and for which you will have time as this letter will be received by the Packet which will sail from Havre on the 15 and the Montano will be delayed until the 25. From Mrs. Brown's reputation for good taste a reputation which she enjoys even at Paris, and from the attention she has bestowed on the selection you will I hope have reason to be convinced that the articles are as handsome as could be procured without transgressing on those limits which a strict attention to economy has imposed. The only expense to be added will be the custom house here (very small) and the envellope of furried cloth, and the transportation to Havre. These will not in any essential degree vary the sum to be insured.

I have made some enquiries here respecting the sale of a Bill on America, and find the Exchange so high that I cannot prevail on myself to subject you to the expence of it. Indeed if I was sure that the funds which I have ordered to eke out my very inadequate salary would arrive in safety, I would feel satisfied that the amount paid for these articles should remain in your hands until my return to the United States. At all events I have enough now in my hands to get along until I hear the fate of a

Bill which I hope soon to receive from New Orleans, and which in consequence of the numerous failures and wide spread embarrassments has given me some concern. I am very anxious to hear whether my Merchants Wm Kenner & Co have escaped the mania of cotton speculation. I have in their hands independently of my last crop fourteen thousand dollars, and should feel very sensibly any accident which might happen to them. I have not heard any thing that can induce a belief that they are in danger but as I know some of the Merchants in New Orleans will suffer severely, I apprehend others may be in some degree involved in their embarrassments.

In my last I mentioned the removal of Mr Zea Bermudez and the appointment of the Duke of Infantado, and promised by this Packet to write you more particularly as to the influence which this change might have in the affairs of Spain. I had prepared a dispatch on that subject when I received the Dispatches of Mr Everett which will go by this packet, and which he was so obliging as leave open for my perusal. These more than supply the place of a letter from me a great portion of which would necessarily have been composed from reports and conversations upon which implicit reliance cannot be placed.

Poor Mr Sommerville is still confined to his room and is reduced to a very weak state from which it must be some time before he can recover. I think however that his health is in a very small degree improved as he now for the first time in seven weeks can bear a little food on his stomach. He begs me to tell you how uneasy he is lest the views of the Government should be in some measure thwarted by his confinement.

Mr Sheldon who has since April been in a state of health very alarming to himself and his friends, appears to be out of danger and is now able to attend as usual to the duties of his office. His constitution is however very delicate and nothing but his extreme abstinance and a temporary suspension of his attention to business could have prevented him from sinking into a pulmonary complaint.

My own health continues much better, and will I hope be such as to enable me to pass a tolerable winter here. Mr Connell who has been at Copenhagen and Stockholm, attending to the claims of some of our Merchants will sail in the Montano on the

25 and affords me an opportunity of writing more particularly on the state of our affairs than I can do by this Conveyance. The Ministry are assailed with great violence and it is thought by many will not be able to retain their places beyond the next session of the Chambers. These will not be convoked before the 15 of February.

I am Dear Sir with great regard

Your most ob't Serv't

JAMES BROWN

Honb Henry Clay

Paris Dec'r 12, 1825

Dear Sir,

I have had nothing from you of a later date 9th. of October, and as your health was then extremely delicate, I have been apprehensive that the painful event of which you soon afterwards received intelligence has increased your indisposition and prevented you from writing to me. We have for some days waited for the arrival of the Packet of the 15 Ult'o by which we expected to hear from you but from the prevalence of easterly winds we have been disappointed.

In my last Dispatch which went by the Packet sailing from Havre on the 1st. you will find an answer of the Minister of Foreign Affairs to my letter of the 22 Oct'r 1824. The intimation which he gives that the Royal Government is under no obligation to repair injuries done by the Government of Napoleon, seemed to require some notice in order that my silence might not be considered as an acquiescence in the doctrine, and therefore I considered it my duty to remark upon it in a very summary way. On the same day on which I received this answer, a letter from Mr Appleton[74] was placed in my hands informing me that the Neapolitain Government had insisted that France had rejected our claims upon the ground of the irresponsibility of the present for the acts of the former Government, and had suspended their conferences with him until the fact could be ascertained by writing

[74] John James Appleton was born in France about 1789, and died in Rennes, France, March 4, 1864. His father was John Appleton, United States consul at Calais. The son studied at Phillips Andover Academy; graduated from Harvard in 1813; was secretary of the legation in Brazil; was chargé at Madrid and then at Stockholm; and at the latter place negotiated a commercial treaty that still serves as a basis of commercial intercourse between the two nations. He also served as diplomatic representative at Naples; and, inheriting from his father a valuable estate in France, he spent most of his time there, making only an occasional visit to the United States.—Appleton, *Cyclopaedia of American Biography*, I, 85.

to their ambassador at Paris. I was induced by this circumstance to suspect that the Minister of foreign affairs had modified his answer with some view to the wishes of the Neapolitain Government. As our Government had in strong terms expressed its determination not to admit the construction placed by France on the 8 art of the Treaty, it would have been sufficient to defeat our claims to have merely insisted upon that Construction without alluding to the other objection. The introduction of it in answer to my letter would therefore seem to have been in compliance with the wishes of Naples and in order to fortify that Government in its ground for rejecting our claims against it. I fear Mr Appleton will be unsuccessful there as Mr Gallatin and myself have been here. I have many reasons for apprehending that my residence here will be rendered unpleasant in consequence of the state in which this and other matters may place the relations of the two Governments. You need not be told that the visit of Gen'l Lafayette and the use made of it by the opposition papers here have excited some feeling. Nor need I say that our institutions are not greatly admired by the Courts of Europe which attribute to them all the revolutions which have appeared within the last fifty years. My situation has required, and I have observed, the greatest possible circumspection, not in my conversation only, but also in my intercourse with society. Gen'l Lafayette is the only *liberal* with whom I have associated since my arrival in France, and I have carefully abstained from taking any part in the politics of the Nation.

In the funeral of Gen'l Foy[75] a distinguished orator of the opposition the liberals have had an opportunity of expressing their feelings and they have made all they could out of it. The body was followed to the grave by more than one hundred thousand persons and nearly half a Million of francs have been subscribed for the support of his family and for the erection of his monument. A triumph has been obtained by that party in the acquittal of the Constitutional and Courier two of the most prominent of the opposition Journals which were prosecuted for publications tending to bring disgrace on the Religion of the State. The decision of the Court dismissed the prosecution on the ground that the attacks were directed, not against the religion of the State, but

[75] Maximilien Sebastien Foy was born at Ham, Somme, France, February 3, 1775, and died in Paris, November 28, 1825. He was a French general and author; served with distinction in the Peninsular War; served in the Chamber of Deputies, 1819-1825; and was the author of an unfinished book (1827), *Histoire de la guerre de la Peninsule.—Century Dictionary and Cyclopedia*, IX. 405.

against the Jesuits, who had entered France and established themselves contrary to law and whose doctrines were hostile to the rights of the Crown and to the established religion. The conduct of the Judges on this occasion has been very much applauded, as the Jesuits although very unpopular had been encouraged by *some* persons of great influence and were rapidly increasing in wealth and numbers.

Mr Sommerville is yet in Paris and I fear will never leave it. His Physician considers his case as one admitting but little room for hope and indeed his appearance but too fully confirms the opinion. His stomach and lungs are diseased and he is subject to constant fever and a distressing cough. I called on him yesterday and found him so unconscious of his danger that he was actually contracting for a Carriage to convey him to Nice and from thence to Italy. I see him every day and shall do all I can to smooth the few days which remain to him. As it is *possible* and barely possible that he may recover perhaps it might be useless to afflict his relatives by giving them this account of his situation. I fear they will soon receive accounts that he exists no longer. Should he persist in his intention of leaving Paris, I will as delicately as possible suggest to him the propriety of placing his *papers* with some person who in case of accidents on the road would prevent them from falling into improper hands. In case he should recover and be disposed to travel *further* they can be sent to him.

The last accounts from Greece leave very little room for hope that it will hold out many weeks longer. Capt Rodgers writes to Capt Morris[76] that their affairs appear desperate. The reinforcements, so long expected have arrived at Navarino. Accounts vary as to the number, some making it amount to 9,000 whilst others

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[76] Charles Morris was born in Connecticut, July 26, 1784, and died in Washington, January 27, 1856. He entered the navy as a midshipman, July 1, 1799; served in the war with Tripoli, 1801-1805; took part in the expedition under Decatur which destroyed the *Philadelphia* in the harbor of Tripoli on the night of February 15, 1804; became a lieutenant in July, 1807; and was the executive officer on the *Constitution*, in July, 1812, when it was chased by the British for sixty hours; was severely wounded in the battle between the *Constitution* and the *Guerrière;* became a captain, March 5, 1813; and in 1814 commanded the *John Adams* in which he cruised on the coast of the United States and Ireland, severely injuring British commerce. In August, 1814, he went up the Penobscot and when the British squadron followed him and the militia deserted him he scuttled his vessel and he and his crew made their way in small parties to Portland, 200 miles distant. In 1816-1817 he commanded the naval forces in the Gulf of Mexico; in 1819-1820 a squadron on the coast of Argentine; from 1823 to 1827 and from 1832 to 1841 he was naval commissioner, and as such he had a vote on every important question of naval administration. In September and October, 1825, he commanded the *Brandywine*, in which Lafayette returned to France; was later employed to inspect the dock-yards of England and France; supervised the Naval Academy at Annapolis for years; and from 1851 until his death he was chairman of the bureau of ordnance and hydrography. The navy expanded greatly under him, and for more than fifty years his time, thoughts, and energies were devoted to its progress. He was noted for his good judgment, self control, courage, and zeal.—Appleton, *Cyclopaedia of American Biography*, IV, 411.

represent it as not exceeding 4,500 troops part of which is composed of Cavalry. It does not appear probable that the Greeks will receive aid from any other power and they want money, credit, and men, to enable them to repel this formidable force. Commodore Rodgers will pass the winter at Nabon and has ordered Captain Reed[77] to take command of the Constitution, Capt McDonough[78] having expressed his wish to return to the United States.

I shall write you on the 25. Mrs Brown is in good health and writes to her sister.

Yours truly

J. BROWN

Mr. Sheldon's recovery has been so complete that it leaves some room to hope that Mr Sommerville may survive his attack. He has made an effort and written to some of his friends. His fever is more moderate since the last two or three days.

Honb Henry Clay
Secre'y of State

Paris Dec'r 24, 1825.

My dear Sir

I was highly gratified by having received from you a letter of the 15 Ulto in which as you have not complained of ill health you have left me to infer that you are well. I was afraid that the weak state in which you found yourself on your return from

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[77] Samuel Chester Reid (August 25, 1783-January 28, 1861), a sea captain and designer of the American flag, was born in Connecticut; went to sea at the age of eleven; was captured and held prisoner by the French for six months; was master of the brig *Merchant* of New York at the age of twenty; commanded the privateer *General Armstrong*, of 240 tons, 90 men, and 9 guns, which left New York, September 9, 1814, and put in at Fayal in the Azores on September 26. On the same day three British ships came up; he beat off four British ships, and later that night when twelve or fourteen boats attacked him, he defeated them with a total casualty of between 175 and 250 men; and in the morning when another attack was made upon him he beat it off, but scuttled his ship which the enemy later burned. He delayed the expedition for New Orleans eight or ten days, which aided Jackson in his preparations. Upon his return to the United States he received high honors; England apologized and paid Portugal $319 for land injuries, but the United States claimed $131,000 against Portugal, and England claimed that her men did not start the battle. Under President Taylor the dispute caused the severance of diplomatic relations, and under Fillmore it was submitted to the decision of Napoleon III, who decided against the United States. In 1882 Congress appropriated $70,739 for his heirs, but at the death of his son in 1897 much of this was still unpaid. Reid was harbor master in New York for years; invented rapid signaling on land; designed the flag of stars and stripes; and became sailing master in the navy, July 3, 1843.—*Dictionary of American Biography*, XV, 480-481.

[78] Thomas MacDonough was born in Delaware, December 23, 1783, and died at sea, November 16, 1825. He entered the navy in 1800 and in 1803 he was assigned to the *Philadelphia*, but escaped capture with it because it had taken a prize, the *Meshboa*, and he had been left at Gibraltar with the prize. He later served on the *Enterprise;* helped capture and destroy the *Philadelphia;* became a lieutenant in 1807; defeated the British near Plattsburg, on Lake Champlain, in a heroic fight; and for this victory he was made captain, given a gold medal by Congress, and received numerous civic honors. The legislature of Vermont gave him an estate on the Cumberland head overlooking the scene of his victory. The Mediterranean squadron was his last command, and he died on board a trading brig which had been sent by the United States government to convey him home.—Appleton, *Cyclopaedia of American Biography*, IV, 106-107.

the West followed by heart rending calamities, and irritated by the incessant calls of business might have overpowered you and deprived your own immediate family of a head, but also your dependent relatives of a friend and kind protector. I am happy to learn that Mrs. Clay had met the shafts of misfortune with her accustomed fortitude, and hope that in the sympathy of kind friends and neighbors, and in domestic cares, her mind will gradually resume its accustomed elasticity and cheerfulness.

I regret as much as any one the obstacles which have been thrown in the way of our claims as well here as in other places. As the French Government yet offers to treat on them in common with the treaty we are saved from the mortification which would have followed a direct refusal to settle them. You seem to think that strong measures will probably be adopted by Congress and intimate the possibility that reprisals may be made upon France. I think it may well be doubted whether the present moment would be the one which we ought to select even were things in other respects such as would recommend that measure. Although England has believed it to be her interest to separate herself on some points of policy from the Holy Alliance yet I am very far from feeling any great confidence in her friendship for the United States. It is obvious too that she dreads a war, and is using all the means in her power to maintain friendly relations with the Continental powers. At no periods have the sovereigns of Europe appeared more anxious to cement their friendship and to bind more closely their engagements to give mutual support than at the present time. The shock occasioned by the death of the Emperor Alexander[79] and the sollicitude evinced as to the policy which Constantine[80] may pursue manifest an anxiety that the bonds of the Holy Alliance would remain unbroken. In one sentiment they all appear to unite a dislike for free institutions and as they consider the United States as at the head of them they would do all

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[79] Alexander I was born in St. Petersburg, December 23, 1777, and died December 1, 1825. He became Emperor of Russia in 1801; encouraged education, science and western ways; abolished serfdom in the Baltic provinces; promoted trade and manufacture; helped fight Napoleon, 1805 to 1807 and 1813 to 1815; waged war against Turkey, 1806-1812; was a leader in the Congress of Vienna; helped to form the Holy Alliance and the Quadruple Alliance; and took part in the various conferences held to enforce the provisions of the alliances.—*Century Dictionary and Cyclopedia*, IX, 35.

[80] Constantine Pavlovitch was born at St. Petersburg, May 8, 1779, and died at Vitebsk, Russia, June 27, 1831. He was the grand duke of Russia and the younger brother of Tsar Alexander I. He distinguished himself in the war in Italy in 1799, at Austerlitz in 1805, and in the campaigns of 1812 to 1814; was the commander in Poland in 1815; married a Polish lady, the Countess Johanna Grudzinska in 1820, having secured a divorce from Juliana of Saxe-Coburg; and as a result of his second marriage he renounced his right to the Russian throne, January 26, 1822. Strict military rule led to the Polish revolution, November 29, 1830; he played a minor part in the war that followed; and then retired to Vitebsk where he died of cholera.—*Century Dictionary and Cyclopedia*, IX, 275.

in their power to mar our prosperity and retard our growth. If we take any step to make any reprisals on France we may expect from all the other powers of the Continent if not open hostilities, at least enmity and any indirect assistance which they can give to France. The French navy is already strong in its number of vessels of war and sailors will be furnished from every quarter. From the sixty millions appropriated to the navy this country is enabled to send out a very formidable armament without adding a single sous to the public burthens. Privateering too would be commenced on an extensive scale, and the capitals and seamen of every Country would be found embarked in it. England, our commercial rival, would see the state of things with indifference if not with pleasure and the consequences of it would be such as we ought serious to reflect on before we take any measure which may lead to hostilities. By waiting some time we take the chances of a rupture among the Allied powers. In that event we may be felt as throwing our weight in favor of one of the Contending parties. In maritime operations of a hostile character the French have less to fear as to their commerce than ourselves, and they have no exposed portions which we could take or even seriously menace. If we do not mean to *strike* we ought to avoid threats which can only excite bad feelings without producing any favorable effect on our negotiations. I confess my own opinion is that however provoking their conduct may be considered we ought to bear it a little longer in order as well to gain strength and to wait for more favourable circumstances, an event which I think by no means improbable or very distant.

Mr. Somerville continues to decline and although he yet speaks of going to the South of France yet I greatly fear he will never leave Paris. The last accounts from Greece still cause some room for hope that they may hold out this winter. The death of Alexander and the hope it may inspire of aid from Russia may encourage them to persevere in defending themselves to the last extremity.

The Chambers will meet on the 30 of January and the strength of the present Ministry will be tried. It is said that upon Mr de Villele offering his resignation to the King he expressed his determination not to change his Ministers so long as they were supported by Majorities in the two Chambers. The majority in favor of Ministers in the Chamber of Deputies is

certain in the House of Peers it is doubtful. It has been the practice to confer the Peerage on Ministers who have lost their places, and as the changes in the Ministry have been very frequent since the restoration, the number of Ex-Ministers in that house is considerable. These are generally in opposition and many of them have great weight from their Virtues and Interests.

The belief gains ground that the Emperor Constantine will pursue a different course in relation to Turkey from that followed by his predecessor. I am not sure his doing so would be considered as a cause of war by all the other powers. England would I believe strengthen herself in the Mediterranean and remain at peace. A few weeks will throw more light on this subject and you will hear from me.

As Mr King transmitted business last week at the foreign affairs I hope his health has improved.

Mrs. B joins in aff'ea solicitations to Mrs. C.

Yours truly

J. B.

Paris Jan'y 13 1826

My dear Sir

You will discover as well from the English as French Journals, that Mr. Adams Message[81] has given great satisfaction in Europe. It has been inserted at full length in three of the Paris Gazettes and is read with great pleasure, and spoken of in terms of high approbation wherever I have heard it mentioned. From a *letter* which I had received some short time ago I had apprehended it might have spoken with too much warmth on a *certain* subject and although much warmth would have been justified by the circumstances of the affair, yet I cannot help thinking that the expression of it ought to be postponed for a short time under my full belief that circumstances will unfold themselves on this side of the Atlantic which will afford an opportunity of rendering complaints more efficacious than they can be if uttered at this

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[81] John Quincy Adams, in his first annual message of December, 1825, mentioned peace in Europe, good commercial relations with those nations, favorable commercial concessions by Great Britain, the advantageous treaty of commerce and navigation made with Colombia, and the need for sending delegates to the Panama Congress. He advocated a federal bankruptcy law, spoke of the flourishing state of the public finances, large income from the sales of public lands, military and naval affairs, favorable relations with the Indians, internal improvements, Revolutionary War pensions, and internal and international conditions in general.—Richardson, *Messages and Papers of the Presidents*, II, 865-883.

time. We are growing rapidly into notice and importance and have already through moderation, wisdom, and justice of our administration, produced a great moral effect in Europe. This will grow by forbearance, and will in a very short time, avail us profitably, in asking justice of those who have hitherto refused it to us. As the offer to treat proves that our claims have not been refuted, we may take our own time and manner of again bringing them forward, and the national honor will not suffer by the delay. At this moment of great tranquility, the first nation which shows a disposition, except for causes the most grave, to provoke hostilities will perhaps draw after itself some odium, as at this time almost every nation seems to wish for repose. The latest news from Russia is not of a character to tranquilize the public mind. The succession of Nicholas[82] to the throne on the reiterated renunciation of Constantine[83] has given great disatisfaction to some of the troops who having refused to take the oath and actually proclaimed the dear brother as Emperor, were fired on and distressed by the exponents who were faithful to the present Emperor. It remains to be seen what will be done by the large armies stationed in Poland and on the frontiers of Turkey, particular by the latter, who have long wished to make war upon the Porte. The news of this revolt has caused a very considerable depression of the stocks on yesterday notwithstanding all the efforts some wealthy Bankers and of the financial Department to prevent it.

It is said that England and France will in a few days conclude a Commercial treaty the terms of which are not known to the public. It is believed that the principle of reciprocity as it relates to navigation will be adopted. Should this be the case it is hoped we shall have no more trouble as it relates to our Convention.

As England agrees with us in our course in relation to Cuba and France coincides in not wishing to disturb Spain in the pos-

[82] Nicholas I was born near St. Petersburg, June 25, 1793, and died there, February 18, 1855. He was the third son of Paul, the brother of Alexander I, whom he succeeded in 1825. He fought the war with Persia, 1826-1828; with Turkey, 1827-1829; suppressed the insurrection in Poland, 1830-1831; and helped Austria suppress Hungary in 1849. In 1853 he declared war on Turkey, which led to the Crimean War, with Great Britain, France and Sardinia assisting Turkey against Russia.—*Century Dictionary and Cyclopedia*, IX, 736.

[83] When Alexander I died in 1825, the legitimate heir to the throne was Constantine, whose renunciation of his right to the throne had not been made public; nor had Nicholas, the younger brother of Constantine, been made aware of the fact that the succession was irrevocably fixed in him. When the news of death of the Tsar reached St. Petersburg and the document embodying the renunciation of Constantine was taken from the archives, Nicholas refused to recognize it and had the troops take the oath of allegiance to Constantine who was at Warsaw. Constantine proclaimed Nicholas as Emperor and an interregnum of three weeks followed, in which notes were sent between the two dukes. Nicholas declared that he would become Emperor only by his own brother's command, which came on December 26. However, conspiracies had begun and mutinies arose among the troops when they were requested to take the oath of allegiance to Nicholas. Some actually thought that "Constitution" was the wife of Constantine. All opposition was soon put down and Nicholas became Emperor and oppressor.—Fyffe, *op. cit.*, II, 318-319.

session on that Island & Porto-Rico I think we may rest without any apprehensions on that subject in future. Indeed now that St Juan de Ulloa has fallen, I shall not be surprised if this Government after admonishing Spain to recognize her late Colonies, shall, on her refusing to do so, acknowledge their independence and open commercial relations with them. You will see that *Agents*, converted into *Consuls Generals* and *Consuls* have already been sent to the New Republics. In the mean time Spain seems to persevere in her old plan of suffering every thing except liberal ideas and doing nothing.

The Chambers will open on the 30th, and the Ultra Royalists opposition professes to be sanguine in the hope of expelling the present Ministry. I am told that in addition to the blaim attached to the Ministers on account of the three percents, the recognition of Haiti will form a prominent charge against them. This measure is arraigned as unconstitutional and impolitic—Unconstitutional in ceding away a portion of the Kingdom without the consent of the two Chambers—impolitic in the encouragement it gives to revolutionary governments and to insurrections of the slaves. Although the opposition may have gained strength since the last Session yet I cannot believe that Mr de Villele will lose his Ministry in either Chamber, and it is said the King will not dismiss him so long as he retains the confidence of the Chambers.

Would it not be worth while to examine carefully the question arising under the 8th. Art. of the Louisiana Treaty with the view of determining whether, although the pretensions of France to place her Navigation on the footing of that of Great Britain &c are unfounded, she has not some reason to complain of the extraordinary tonnage duty laid in retaliation for her discriminating duties at a time when the Vessels of nations with whom we had no treaties were permitted to enter our ports on more favorable terms? It has been hinted to me that the intimation in the Baron de Damas letter of the 12 Nov'r that the Present Government was irresponsible for our claims was given as a reply to that part of my letter in which whilst I offered to treat on the 8th. Art. I stated that I was instructed to deny that France had any claims whatever under that Article. I merely suggest this for consideration without pretending that I have given the subject that profound examination which I should have done if negociations had commenced upon it and my attention had been called to it more par-

ticularly. It is unfortunate that these claims should weigh upon the present administration and more particularly so that they should have been made the subject of discussion at every stage in the two houses. I think it probable that you will have a party in favor of Gen'l Jackson formed immediately, and of course every circumstance which can be made to bear against the administration will be seized on, and employed in attacking it. If tranquility abroad is preserved, the prosperity enjoyed at home will insure the standing of the administration.

I have found the Exchange so unfavorable that I have been unwilling to draw on you for the small amount advanced for your furniture. I have however been lately asked if I could remit for a dealer 4000 francs to New York and as it may suit you to pay the draft at 60 days it is probable I may draw for that sum as the draft can probably be secured at par.

My health has continued to improve ever since my visit to the Mineral waters last summer, although I have been much exposed by night air and late visits. If I could repeat my visit next season, I think I should completely eradicate the complaint from which I have suffered so long and so severely. Although I am free from pain, yet my nervous system has underwent a shock so severe, that it must be some time before its energy can be restored.

Paris has been more frequented by Americans lately than it was in former years, and almost all who arrive having letters and expect the attentions of their Minister. We do all we can to give satisfaction but fear that we cannot always please as some of them expect from us what the usages of France do not permit, that we shall introduce them to all those houses at which we visit. This they know can be done in the United States but they do not recollect that the number of strangers here is so great that they cannot all be introduced every where. In general I hope we have satisfied their expectations as we have frequently invited them to large evening parties where their curiosity has been gratified by meeting the most distinguished men of France.

Mrs. B. is well and joins me in aff'te regards to Mrs. C.

Yours very sincerely

JAMES BROWN

I intended to have sent Mr Sommerville Will by this opportunity but as the witnesses reside here I have some thought of

having their proof of the acknowledgement before our Consul and a copy left here. I will send it on the 25th.

Paris Jan'y 23, 1826

Dear Sir,

Since the date of my last we have received intelligence from St Petersburg to the 6th Inst. The Grand Duke Nicholas had put down all resistance on the part of the troops and it is probable that his authority has been established in every part of the Empire. It was at first believed that the revolt of some of the Regiments had been occasioned by their unwillingness to take an oath of Allegiance to Nicholas immediately after having taken one in favor of Constantine. A proclamation of the present Emperor attributes these movements to revolutionary opinions of foreign origin and of a recent date, which he promises to eradicate from the sacred soil of Russia by punishing all who have entertained or propagated them with the most exemplary severity. Numerous arrests have taken place already, and amongst the accused are found many persons distinguished by birth, office, and education. The well educated and wealthy Russians, having no employment in their own country, have spent much of their time in England and France, and it is not improbable that many of them may have imbibed a love for liberal institutions. To the discontents arising from a dislike to despotic government, will be added those of the army, which has long been dissatisfied with an inactive life, and has wished for hostilities against the Turks. It is not improbable that the Emperor, in order to satisfy the desires of the people and army, and to increase his popularity, may feel a disposition to prefer the policy of Catherine[84] to that of the late Emperor, but in this desperation he will meet with considerable difficulties growing out of the opposition of the other Continental Courts, and the deranged condition of Russian finances. In a very little time we shall be able to decide the important question as to the relation which this gigantic power will bear towards the other states of this Continent. The solution of

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[84] Catherine II was born in Prussia, May 2, 1729, and died in St. Petersburg, November 17, 1796. She was the daughter of Prince Anhalt-Zerbst and was Empress of Russia from 1762 to 1796. She married the nephew of Elizabeth, who became Tsar as Peter III, January 5, 1762. With the help of her paramour, Gregory Orloff, and others, Peter was put in prison and after being deposed was murdered. In July, 1762, Catherine usurped the throne; brought about the partitions of Poland, 1772, 1793 and 1795; gained territory from Turkey by the treaty of 1774; improved administration, proclaimed a new code of laws, and encouraged education, art, literature, and science.—*Century Dictionary and Cyclopedia*, IX, 224.

this question is waited for with visible anxiety and every circumstance which relates to it is a subject of marked attention.

The latest accounts from Greece are so far favorable, that the Turks reinforced as they have been, have gained no important victories, taken no fortresses, nor obtained an act of submission on the part of any province to their authority. Missolonghi it is believed will hold out for some time, and hopes are entertained that the winter will arrest the operations against it. Some slight advantages have been gained by the Greek fleet under Miaulis, but no general engagement between the naval forces has taken place.

In my last I mentioned that I had kept the last will of Mr Sommerville in order to have it proved by the subscribing witnesses before our Consul, and that I should send it by this opportunity. Mr Barnet has been absent for some days from Paris attending the funeral of Mr Sommerville who was interred agreable to his request at Lagrange. This circumstance will delay the transmission of it until the 1st. when I shall send it by the Packet ship. The public papers of Mr Sommerville are left with me and will be disposed of as you may direct.

I am Dear Sir with great respect

Your faithful servant

JAMES BROWN

Honb. Henry Clay
Secretary of State.

Paris Jan'y 30, 1826

My dear Sir

Madame Pasta an Italian performer on the stage of the opera wishing to make a small remittance to her husband who has gone out to the United States applied to me through the Minister of Baden to obtain a Bill for three thousand francs. I have drawn in her favor for that sum at about par making five hundred and sixty two dollars fifty cents, at thirty days sight which I hope you will find an arrangement to suit your convenience. The residue may remain in your hands, as I have already drawn from home as much as will probably be necessary during my stay in France. I find from my last letters from New Orleans that by the suspension

of payment of the firm Wm Kenner & Co. I shall either lose or be delayed for two or three years in the payment of nearly thirty thousand Dollars due by them to me for the last crop and a part of a former one which they sold and applied the money to their own use. It is fortunate for me that this accident did not happen until I had paid my debts. They show property to a greater amount than all their debts but I have by experience and examination learned to place but little confidence in such statements.

I have had a letter from Mr Livingston lately and am inclined to believe that although a friend to General Jackson he is disposed to support the measures of Mr Adams administration. He is I believe a Member of the Committee of foreign relations and may be useful if favorable to the views of the administration. I am sorry that the answer on the subject of our claims will take you by surprize but it was hardly to be expected that the Ministry as now composed would depart from the ground they had before taken of connecting the Louisiana question with the one respecting the claims. I most sincerely wish that the answer had not alluded to the untenable ground arising from the change of Government. If France could be driven from the extravagant proposal that her ships should be placed in our ports on the same footing with those of nations who have admitted by treaty the principle of reciprocity, without her assenting to that principle, then her claim would extend no further than for the injury done her by placing her navigation, by the law imposing the extraordinary and retaliatory Tonnage duty, upon a worse footing than the ships of nations with whom we had treaties, and this amount must necessarily be very inconsiderable. If these claims should by any means be satisfactorily settled I am disposed to think that the most friendly relations might be kept up between France and the United States. The attention of Ministers seems now to be directed to the increase of their maritime force. On that subject you will obtain very valuable information from Commodore Morris who has visited all their naval stations. The financial condition of France is much better that that of England, and she has less to dread from war than the latter power.

I see Gen'l Lafayette very frequently and am happy to find that he is more circumspect than formerly on the subject of politics. He seems convinced that France is making a progress in obtaining civil liberty perhaps as rapid as the state of knowledge

among the lower classes will justify and he begins to be sensible that any useful change must commence in the more general diffusion of education and knowledge. It was the wish of some of his friends to have proposed him as a Candidate to fill the vacancy occasioned in the Chamber of Deputies by the death of Gen Foy but he declined it under the conviction that in the present state of affairs his presence in that body could be of no use to his Country. He says he has profited from the advice you have been so kind as to give him and I hope he will not forget it.

I have heard nothing from St Petersburg later than the proclamation of the Emperor on the subject of the resistance made on the 26 Ulto. to proclaiming him Successor to his brother. I have reason to think that many discontented persons exist in Russia who will avail themselves of the first opportunity to oppose the course of the Government should the new Emperor adopt the policy of Alexander. The army is tired of inaction and wishes for employment. The people, I mean the small portion which thinks, feels a lively sympathy in the cause of the Greeks and the nobles are displeased with the efforts which were made by the Emperor Alexander to elevate their Vassals in the scale of independence and place them on a level with their masters. Portions of the troops have resided in France and Poland and they are not the more safe instruments of power on that account. Many in France look with pleasure to the probability of events which will diminish the Gigantic power of Russia, and all the smaller states who have been oppressed by the Holy Alliance anxiously wish for its dissolution. The uncertainty prevailing on this subject will, it is said induce Ministers to refrain from proposing laws for restraining the liberty of the Press and placing the Etat civile in the hands of the Clergy.

I am happy to learn that your health has improved and that you have been so fortunate as to obtain a good house so conveniently situated. It is to be hoped that by the formation of a Department of the Interior your labors will be diminished and your mind relieved from the most troublesome portion of your duties. My health has improved very much and I begin to hope the winter may pass away without a relapse. My stay here beyond July will depend upon this event, for I never can consent to hold a situation when my health is such as to prevent me from attending to the duties imposed by it. With all the desire we feel to please

our countrymen and countrywomen too the place is not without its vexations. We meet occasionally with persons who have the mania of finding their way into *good company* and they are ignorant enough of the usages here to believe that a Minister can introduce them into all the families where he is invited. As this is impossible it necessarily follows that with the best intentions to give satisfaction we sometimes offend. If they would reflect on the small sum allowed by the Government and the expence of living in Paris, and would study the usages of society, they would find that in relation to us they have no just cause of complaint. It gives me pleasure to state that the number of discontented and unreasonable is trifling, when compared with those who entertain more just and liberal opinions.

As you will have dispatches from Mr Everett by this opportunity it will not be necessary to allude to the state of affairs in Spain. It is probable that an attack will be made on Cuba by the New Republics and if so what are their prospects of success?

Mrs. B. joins in presenting affectionate regards to Mrs. Clay. I am Dr Sir very truly

Your faithful Serv't

JAMES BROWN

Honb Henry Clay
Secretary of State

Paris Feb'y 13, 1826

My dear Sir,

Mrs. Brown has written to Mrs. Clay by this opportunity and has given her all the family news which can interest her. I have sent you the files of papers containing the Kings speech, the answers by the two Chambers the Convention between Great Britain and France and the project of the law on the Indemnity to the antient Inhabitants of St Domingo with the speech of Mr de Villele on introducing it. You will perceive that provision is made for such of the Claimants as reside in the United States, and that two years from the promulgation of the Law will be allowed them to prove their rights. As the Ministry are believed to have large majorities in both Chambers I think it probable that the law will pass without any material alteration. I shall watch its progress and give you from time to time the necessary infor-

mation on the subject. The proposal to establish the right of primogeniture and Entails created considerable dissatisfaction, and it is believed that the fear of a formidable opposition to it, induced Ministers to present it in the diluted form in which you see it, in order to render it more palitable, and intending to increase the dose at the ensuing session. Our old friend Hyde de Neuville is considered as one of the most violent in the opposition and will perhaps serve the Ministry by the indiscreet order of his attacks. Mr de Chateaubriand[85] in the Chamber of Peers is so very strenuous in his opposition to the present Ministry, and has written some very remarkable pieces for the Journal des Debates which have excited much attention and are worthy of your perusal. The ministry will be stronger than it was at the last Session. It has lost a great deal in the death of Genl Foy who was a man of great abilities, great firmness and who possessed the talent of speaking with force and facility on all occasions.

The Chamber of Peers will in a few days form a court for the trial of Guilleminot Bourdesoulle &c. who are accused of having received large sums of money in conjunction with (illegible) a Contractor for the army of Spain. This affair is spoken of as a most corrupt transaction by which France has lost several millions of Francs. It is feared that the name of a high personage of whose integrity no doubts can exist will have been so connected with the transaction as to make the investigation one of peculiar delicacy and difficulty. It is said that Gen'l Guilleminot has been recalled from Constantinople to meet this investigation.

The Greeks continue to defend themselves with uncommon resolution and no fears of their yielding this winter exists any where. It is believed that the Emperor Nicholas will be compelled to yield to the inclination of his army and to commence a war against the Turks. The Duke of Wellington[86] has gone to St

[85] Chateaubriand, Francois René Auguste, Viscomte de, was born in St. Malo, France, September 14, 1768, and died in Paris, July 4, 1849. He joined the army in 1786; traveled in America, 1791-1792; after serving in the royal army he emigrated to England where he wrote books and articles; and returned to France in 1800. He became an ardent Catholic although he had been an infidel; was a noted writer; became a peer in 1815; was sent to England as minister in 1822; and was Minister of Foreign Affairs, 1823-1824.—*Century Dictionary and Cyclopedia*, IX, 239.

[86] Arthur Wellesley was born in Dublin, Ireland, April 30, 1769, and died in England, September 14, 1852. He became an ensign in 1787; entered the Irish Parliament in 1790; served in the army in the Netherlands, 1794-1795; became a colonel in 1796 and was sent to India where he was a great factor in defeating the natives; was knighted and returned from India in 1805; went with the army to Hanover, 1805; entered the British House of Commons, 1806; was secretary for Ireland, 1807; was in an expedition to Copenhagen, 1807; and became commander of the British forces in the Peninsula in 1808, where he did great fighting until Waterloo. He played a leading role in European affairs from 1815 to 1826; became commander-in-chief of the British army in 1827; was Premier, 1828-1830; Foreign Secretary, 1834-1835; and was in the Cabinet again from 1841 to 1846.—*Century Dictionary and Cyclopedia*, IX, 1054.

Petersburg, for the declared purpose of complimenting the Emperor on his accession to the throne but for the real purpose of diverting him from commencing hostilities against Turkey. England is very far from being in a situation to make war, and consequently will use all her influence to preserve peace. In France the finances are flourishing and no pecuniary embarrassments similar to those existing in England have been felt. The debt of the nation however is considerable and peace is desirable although war is not so much to be dreaded by France as by England. The Manufactures of this country are improving daily, and England will find dangerous competition in the French manufactures should this Country acknowledge the Independence of the new American Republics and establish friendly relations with them.

I am Dear Sir with sincere regard

Yours &c—

JAMES BROWN

Honb Henry Clay

Paris March 13, 1826

My dear Sir

I have not had the pleasure of any thing more from you for some time than a short letter on the subject of the papers of the late Commodore Truxton[87] which I understand were deposited in the care of Consul Mr Barnet who has been so seriously indisposed for some time that he was not able to make the necessary search for them. The occupations which your ordinary and extraordinary duties must at this moment devolve upon you leave me at no loss to account for your silence. The session promised at the last accounts to be a very busy one and we wait with some impatience for every fresh arrival in order to ascertain the result of some important measures which have been brought before the two Houses. The question respecting the mission to Panama[88]

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[87] Thomas Truxton was born in New York, February 17, 1755, and died in Philadelphia, May 5, 1822. Beginning sea service at the age of twelve, he rose rapidly; entered the service under the Continental Congress as a lieutenant; greatly assisted the United States in procuring supplies during the Revolution; was a noted protector of American commerce, 1779-1800; left the service in 1802; served as sheriff of Philadelphia County, Pennsylvania, 1819-1821; and was a writer of note.—Appleton, *Cyclopaedia of American Biography*, VI, 170-171.

[88] In November, 1825, the United States was invited to take part in the Panama Congress. President Adams nominated Richard C. Anderson and John Sergeant as delegates, with William B. Rochester as secretary. The pro-slavery men such as Hayne and White in the Senate led the fight against the mission, but the nominations were confirmed. The House then engaged in a long debate over appropriating the money for the expense of the mission. Anderson died on the way, and Sergeant arrived at his destination only to learn that the Congress had adjourned to meet again the following year at Tacubaya, Mexico. War broke out in Central America and the meeting was never held.—John Bach McMaster, *History of the People of the United States*, V, 438-459.

appears to be the one in which the statesmen of this Continent feel the greatest interest, and as it was thought that this measure was in perfect accordance with the general course of our policy, some surprize was discovered on finding that it had met with some opposition in each of the two branches of the Legislature. I think it probable that the news of the death of the Emperor and of the events which have followed it, may possibly diminish the fears of some who apprehended danger from giving offence to the Confederation of Sovereigns. I rather think that a refusal to accept that invitation would have an unhappy effect on the good cause in America as on this side of the Atlantic: The opinion formerly that Spain would regain her possessions in the American Continent no longer exists and the only fear now is that she may lose her Islands and be stripped of her tatterred Commerce should the war be continued. When I say this I allude to the opinions of well informed judges, for a party is yet to be found who would embark all Europe in support of the dogma of Legitimacy. This fanaticism in favor of the divine right of Kings has been exhibited in the debates on the law respecting St Domingo but the speeches of the Ministerial party aided by the liberal opposition and above all the vote which will be given on that question will prove that neither the Chamber nor the Nation partakes in such exaggerated doctrines. The Ultra royalist party with Labourdonaye de Neuville &c. may amount this year to near one hundred and the liberal opposition to thirteen or fourteen members.

A Mr West former cashier of the Branch Bank at New Orleans who was represented in the Newspapers as having abscounded in debt to that Institution landed at Havre some time ago and is now in Paris. I felt a strong disposition to do something to obtain from him a part if not the whole of the money he was said to owe, but having no proof of the debt it was obvious I could commence no legal proceedings against him. I sent Mr Sheldon to the Secretary of the Police General to inquire what will be done to prevent him from squandering the money in case he had brought any with him. He was told that the police could do no more than keep an eye upon him and prevent him from doing any act which could disturb the public peace or molest the inhabitants of the kingdom and that it could take no notice of any offences or misdemeanors he might have committed in foreign countries. I understand also that the French Tribunals will not take cognizance of actions for debt or to enforce contracts made

in other countries between foreigners and indeed the fact is proved by the residence of many of them in Paris who have abscounded from their creditors in England and in other states.

I am happy to learn by a letter I received from Mr Hughes that your health is much improved, since your removal to Washington and that you had opened your house for the reception of company. The occupations of domestic life, and the excitement of society will gradually relieve Mrs. Clay's mind from the load of affliction which has so unexpectedly fallen upon her and I hope you will both find reason to felicitate yourselves on having retired from the tempestious scenes of Kentucky. If you want any thing more to enable you to finish your establishment which can be procured at a better price or of a superior quality here Mrs. Brown will feel happy in executing any order you may send.

It would give me much pleasure if Mr Pleasanton would give me a statement of my account as I wish to see that every thing in relation to my drafts on the Department is correct. I have endeavored to be as accurate as possible and except the small charge of about fifteen hundred francs for the coronation I can think of no charge which can give rise to any difficulty.

I mentioned to you that I had sustained a pretty heavy loss in the failure of Kenners house at New Orleans. It is fortunate that before this accident I had paid all my debts, and I hope the revenue of my plantation will be sufficient to enable me to meet all my expenses.

Captain Morris will on his return be enabled to Communicate to you much valuable information in relation to the naval force of Great Britain and France. The latter of those powers devotes 60 millions annually to her navy. In a short time she will have eighty ships of the line constructed and in order to form seamen a number of her vessels are kept in active service. If peace continues a few years her naval power will be more formidable than it has been at any former period.

Mrs. Brown sends her love to Mrs. Clay to whom be so good as to present my affectionate regard.

I am Dear Sir very truly

Your faithful Servant

JAMES BROWN

Honb. Henry Clay

Paris March 30, 1826

My dear Sir

It was my intention to have sent you a dispatch by this opportunity, but having been confined to my room for the last five or six days by a severe attack of Influenza accompanied by sore throat and much inflamation in my breast I have been impelled to postpone working till the 15. This delay is not very material as indeed nothing has occured on this continent since my last of an interesting character. The Emperor of Austria[89] and the King of G. Britain[90] have recovered from their late illness. The want of all public intelligence from Russia inclines many to think that all is not well in that Empire. The English papers would have us believe that the Duke of Wellington has induced the Emperor 1st. That the peace of Europe shall not be disturbed by any attack on Turkey. 2nd That the Great Central powers will join England in a Declaration to be made to the port that he shall withdraw his troops from Greece and permit the Greeks to decide upon their own form of Government. The general sentiment here is very favorable to the Greek cause and large sums are raising by subscription to send them supplies. The Ministry has been accused of permitting the Turks to build ships at Marsailles and to engage officers and men to embark in the contest whilst a similar permission has been refused to the Greeks. The papers of yesterday state that the troops under Ibraham Pasha made an assault on Missolonghi on the 27 Feby but were repulsed with great loss and that supplies have been thrown into that fortress sufficient to enable it to hold out three months.

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[89] Francis I of Austria, or Francis II of the Holy Roman Empire, was born in Florence, February 12, 1768, and died in Vienna, March 2, 1835. He was the son of Leopold II, whom he succeeded in 1792. He joined the first coalition against France in 1793, but was forced out when Napoleon made his first campaign into Italy and signed the peace of Campo-Formio, October 17, 1797; joined the second coalition in 1799, but Napoleon again forced him out, and on February 9, 1801, he signed the peace of Lunéville; in 1805 he joined the third coalition, but was forced to sign the peace of Pressburg, December 26, 1805; renounced the crown of the Holy Roman Empire in 1806, as he had in 1804 announced himself Emperor of Austria; declared war on France in 1809, but made the peace of Vienna, October 14, 1809; aided Napoleon against Russia in 1812, but joined the allies in 1813 and helped to defeat Napoleon. He played a leading role at the Congress of Vienna, joined the Holy Alliance in 1815, and devoted the remainder of his reign to the policy of reaction under the guidance of Metternich. He was succeeded by his son Ferdinand I, who inherited mental and physical weakness from his father, which resulted in favorites ruling under the sway of Metternich, which led to the revolution of 1848. The revolt forced him to abdicate in favor of his nephew Francis Joseph, who became ruler on December 2, 1848, and reigned until 1916.—*Century Dictionary and Cyclopedia*, IX, 385, 406-407.

[90] George IV was born in London, August 12, 1762, and died in Windsor, June 26, 1830. He was the son of George III. He contracted an illegal marriage with Mrs. Fitzherbert, December 21, 1785, which was annulled. On April 8, 1795, he married Caroline Amelia Elizabeth of Brunswick. While Prince of Wales he was a friend of the opposition such as Fox and Sheridan, and thus gained the ill will of his father as well as by his extravagant and dissolute habits. When his father lost his mind he became regent in 1811; became king of Great Britain and Hanover, January 29, 1820; forsook the Whigs and became a Tory; refused to let the queen be present at the coronation, and on June 6, 1820, started divorce proceedings in the House of Lords on charges of infidelity; but the charges were dropped for lack of evidence.—*Century Dictionary and Cyclopedia*, IX, 432.

The Chamber of Peers is now engaged in discussion of the project of a law in favor of the oldest sons and for permitting estates to be entailed. The opposition in the Chamber of Peers is stronger as well in talents as in numbers than that in the Chamber of Deputies. The law will pass notwithstanding its unpopularity.

The law for distributing the Indemnity is now sent to the Peers and will I believe pass without amendment.

Mr De Neuville is warmly embarked in opposition to the Ministers—speaks often—and vehemently but does not seem to have much weight.

Mrs Brown joins me in affectionate regards to Mrs. Clay
I am Dr Sir

Yours truly

JAMES BROWN

Honb Henry Clay

Paris May 10, 1826

My dear Sir

I have had a paper which was sent me by Mr Beasley from Havre in which I find an account of a scene which happened in the House of Representatives, in which Mr McDuffie[91] Major Trimble[92] and Mr Vance[93] were the principal actors which has given me much concern, and made me very anxious to have more

[91] George McDuffie was born in Georgia about 1788 and died in South Carolina, March 11, 1851. He began life for himself as a clerk in a merchandise store in Augusta, Georgia; William Calhoun sent him to school, even through South Carolina College; after studying law he was admitted to the bar in 1814; entered the South Carolina legislature in 1818; and about this time entered into a political controversy with Colonel William Cumming of Georgia which led to several duels, in one of which McDuffie received a wound from which he never fully recovered. He was a noted writer on state rights and other topics; served in Congress from 1821 to 1834; opposed internal improvements, the protective tariff, and the Panama Congress; favored nullification; became very hostile to Jackson after having supported him at first; was Governor of South Carolina, 1834-1836; was a major-general in the state militia; retired to private life after his term as governor; but served in the Senate from 1842 to 1846, resigning on account of ill health.—Appleton, *Cyclopaedia of American Biography*, IV, 112.

[92] David Trimble was born in Frederick County, Virginia, June, 1782, and died in Kentucky, October 26, 1842. He graduated at William and Mary College in 1799; after studying law and admission to the bar he began to practice in Kentucky; served in the War of 1812 as brigade quartermaster of the first brigade of Kentucky mounted militia, and later as a private in a battalion of Kentucky mounted volunteers; and served in Congress as a Republican from March 4, 1817 to March 3, 1827, having been defeated for reelection in 1826.—Appleton, *Cyclopaedia of American Biography*, VI, 160; *Biographical Directory of Congress*, 1627.

[93] Joseph Vance was born in Pennsylvania, March 21, 1786, and died in Ohio, August 24, 1852. He moved to Kentucky in 1788, and to Ohio in 1805; engaged in agriculture; was captain of a militia company in 1811 and 1812; served in the War of 1812 as major, colonel, brigadier, and major-general of Ohio militia; was in the state legislature, 1812, 1813, 1815, 1816, 1818 and 1819; was a member of the state constitutional convention of 1820; became a merchant; served in Congress from March 4, 1831 to March 3, 1835; was governor of Ohio from 1836 to 1838, after having been defeated for Congress in 1834; served in state senate, 1840-1841; was in Congress as a Whig, March 4, 1843-March 3, 1847, having declined to run in 1846; was a delegate to the Whig national convention in Philadelphia in 1848; and served in the state constitutional convention of 1851.—*Biographical Directory of Congress*, 1641.

fresh intelligence from the United States. Those dispatches at home have a very unfavorable effect upon the character of our Government abroad, and in this point of view are to be deeply regretted by the friends of our Country and of its institutions. I presume Mr McDuffie is somewhat uneasy under the unpleasant impression left on the minds of many by his affair with Cummings,[94] and would not be dissatisfied if he could find an opportunity of removing those impressions. In the papers of London we find a short paragraph stating that the Secretary of State and Mr Randolph[95] had fought a duel on the banks of the Potomac and that a shot had passed through Mr Randolphs coat without doing him any injury. As I had not heard of any differences you had had with that gentleman I am induced to believe that the news is without foundation, and that you will be so fortunate as to avoid a resort which seldom places the parties in a better situation than they were before the appeal to arms. We hope to receive the intelligence from New York by the way of Havre up to the 15 in the course of this week, and I shall not have my uneasiness removed until I hear from you. I fear you will experience during the first four years of Mr Adams administration a combined opposition of all the Candidates which it will be very difficult to withstand.

In my last I mentioned my apprehensions that Mr Sheldon might again be attacked by the complaint in his breast which compelled him to spend some weeks last summer in Havre and at Dieppe. I hope the danger has disappeared and that his indisposition has proceeded entirely from a bad cold combined with a depression of spirits occasioned by the illness of his brother who died on the 7th. of a pulmonary consumption. I should be really

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[94] William Cumming was born in Georgia about 1790, and died there in February, 1863. He studied law at Litchfield, Connecticut, but inherited a fortune and did not practice; became a major in 1813, and adjutant-general and colonel in 1814; stood by the Union party in the nullification controversy, and the quarrel with McDuffie of South Carolina was over this question. The two men, attended by large number of friends, rushed from one place to another in an effort to find a place of meeting, and loudly accusing each other of betraying their intentions to the officers of the law. They were widely caricatured and then widely watched with great interest over the entire United States. They finally succeeded in meeting twice and fired three shots, by one of which McDuffie was wounded in the hip, from which wound he limped during the remainder of his life.—Appleton, *Cyclopaedia of American Biography*, II, 29-30.

[95] John Randolph was born in Virginia, June 2, 1773, and died in Philadelphia, May 24, 1833. He attended William and Mary College and the College of New Jersey; studied law, but never practiced; was in Congress, March 4, 1799-March 3, 1813, being defeated for reelection in 1812; was one of the managers in the impeachment proceedings against Pickering and Chase in 1804; was again in Congress, March 4, 1815-March 3, 1817, and again, March 4, 1819-December 26, 1825, having been defeated in 1816; was in the Senate, December 26, 1825 to March 3, 1827, being defeated in 1826; fought his famous duel with Clay, April 8, 1826; was again in Congress from March 4, 1827 to March 3, 1829, declining to run in 1828. He served in the Virginia constitutional convention in 1829; and was minister to Russia from May 26 to September 19, 1830, when he resigned and returned home.—*Biographical Directory of Congress*, 1442-1443.

sorry should any thing happen to deprive me of Mr Sheldon who is a man of great merit and in every way worthy of confidence. If Mr Appleton should return to this place he would perhaps wish to spend some weeks in Paris and in all probability be willing to do the duties of the office and allow Mr Sheldon time to change the air by a trip to Havre or Dieppe. I have not heard from Mr Appleton for some time but I feel fully confident he will not succeed in his attempt to obtain an adjustment of our claims at Naples.

The Government I believe finds some trouble in arranging the commercial treaty with Boyer[96] and is therefore not very well satisfied with the Presidents Message respecting the Panama Mission as far as it touches on the state of St Domingo. Nothing has been said to me by Ministers indicative of this feeling but I find in the Moniteur some remarks which I consider official, and which leave me no doubt as to the impression which that part of the Message has made on Ministers. The Times an English paper has made remarks on the ordinance for the Emancipation of Haiti of a nature very similar to those contained in the presidents message. It is generally thought here that the Haitian Government will not be able to pay for a great number of years the sum of one hundred and fifty millions of francs to the Emigrants. I am persuaded another loan could not be obtained by it at Paris on the same terms as the last that is Eighty for One hundred.

The trouble in England arising from indigance on the part of the manufacturing portion of the community although less alarming than they have been, are yet a source of calamity the consequences of which it is impossible to foresee. The prosperity which England derived from supplying almost every nation with her Manufactures is now greatly circumscribed by the existance of manufacturing establishments in France, Germany, Switzerland and the United States of America, and the cheapness of provisions in these last with their comparative exemption from taxes will enable them soon to undersell the English in many fabrics of the most general use. The distresses of Great Britain and the weight

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[96] Jean Pierre Boyer was born at Port-au-Prince, February 28, 1776, and died at Paris, July 9, 1850. He was a free Mulatto, but he helped the Negro slaves in the insurrection of 1791-1793; went to France after the accession of Toussaint L'Ouverture with Pétion and others; returned in 1802 as a captain in the French army, and was later made general. On the death of Pétion in 1818, Boyer became his successor; by the death of Christophe in 1820, and the conquest of the Spanish part of the island, he brought the entire island under his control and ruled as a practical dictator, but was expelled in 1843 by a revolution and fled to Jamaica.—*Century Dictionary and Cyclopedia*, IX, 176.

of her National debt will I apprehend produce on this Government a belief that she may now attempt projects which she never would have thought of executing had the power and prosperity of her rival remained in the condition in which they were believed to have been twelve months ago.

Since writing the above I have seen in the Globe, and English papers, an account of a meeting between you and Mr Randolph which although very brief, is yet so circumstantial as to excite my fear that the event has actually happened. It is out of my power to say what you ought to have done but I seriously apprehend you will incur much censure particularly in the Eastern section on account of this unpleasant affair. The disposition of Mr Randolph to attack with unmeasured severity all the acts of persons in office is so well understood that I would have supposed you might have trusted the vindication of your conduct and character to the enlightened judgment of your Countrymen. Duelling has of late years become unfashionable as well in Europe as in America, and instances have been very rare where individuals holding the highest offices in the Government have resorted to it. Without a full knowledge of all the circumstances connected with this unpleasant affair, I cannot pretend to form an opinion as to the course you ought to have pursued.

The whole attention of Europe seems now to be directed to the East and the determination of the Porte in answer to the ultimatum of the Emperor of Russia is waited for with great anxiety. He will be urged to compliance by all the European Cabinets and the last advantages gained by the Greeks at Missolonghi will come in aid of the pressing instances of the diplomatic corps. It is hoped that hostilities may be avoided but such is the capricious character of the Ottoman ferver that fears are entertained that the question may be submitted to the Divan[97] and to the Janizaries[98] and that they may decide in favor of war. In contemplation of the probability of the result England is said to

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[97] The Divan was a Council of State in Turkey, the chief or privy council of the Porte, presided over by the grand Vizier, and was made up of the ministers and heads of the departments. It met twice a week.—*Century Dictionary and Cyclopedia*, II, 1702.

[98] The Janizaries were a former body of Turkish infantry composing the Sultan's guard and the main standing army in the fourteenth century, and it continued so until the seventeenth century. It was largely recruited from compulsory conscripts and convicts taken from the Rayas or Christian subjects. In later times Turks and other Moslems joined it on account of the privileges attached thereto. The body became large and very powerful and turbulent, often controlling the destiny of the government. After a revolt purposely provoked by the Sultan, Mahmoud II, in 1826, many thousands of Janizaries were massacred and the organization dissolved.—*Century Dictionary and Cyclopedia*, IV, 3217.

have resolved to encrease her maritime force in the Mediterranean, and the French fleet at Toulon it is believed has received orders to prepare for sea. I have had permission to read a letter from a very well informed person of distinction at Constantinople in which an opinion is expressed that the Emperor of Russia in case his present demands are acceded to will increase them in order to compel the Porte to make war which is believed to be necessary to satisfy the wishes of the Russian army.

A belief that the King is too friendly to the Jesuits and too much inclined to favor the pretentions of the Romish Church has gained ground here during the last few months and has I think in some degree diminished the happiness with which Charles X ascended the throne. The press which is perfectly unshackled contains many severe attacks on the Government which is represented as encouraging the return of the order and the placing them at the head of public instruction. The processions which took place during the Jubilee were attended by nearly two thousand Priests, the sacred relics were carried through the most frequented streets, and were followed by the King and Princes on foot. Various rumors are afloat respecting a change of Ministry all of which I believe to have no foundation. Mr de Villele retains his standing with the King and although sometimes in the Minority in the Chambers, yet commands sufficient influence to maintain his place and carry all questions in the success of which he feels a particular interest. It is probable some changes may be made in the Ministry, but the political course of Government will remain unchanged.

Mrs. Brown joins me in affectionate respects to Mrs. Clay who I hope in the midst of so many trying scenes as it has been her lot to experience retains her fortitude and health.

I am Dear Sir very truly

Your Most Obd't Servant

JAMES BROWN

Hon Henry Clay

Paris May 23, 1826

Dear Sir

When I last wrote you I hoped that the Garrison of Missolonghi which had performed prodigies of valor in repelling several successive assaults would have held out until the fleet could have

thrown in fresh supplies of provisions, and until some Christian power would interfere and save them from the vengeance of their barbarian enemies. We have since received the heart rending intelligence that the brave defenders of that strong hold of Greece have ceased to exist. The attempts of Miaulis and Canovis to throw in provisions having been rendered abortive in consequence of the command which the forts of Anatolias and Vaseladi gave to the entrance to the harbor the Garrison was reduced to the last extremity by famine. An offer was made by them to capitulate and surrender on the terms of marching off drums beating and colors flying with their arms and munitions of war. The Turks insisted on their surrendering at discretion. The Garrison then unanimously adopted the heroic resolution of burying themselves in the ruins of the fortress which they had so long defended. On the 23rd. the dreadful sacrifice was made the details of which you will find in the papers, which will be sent by this opportunity. It is now believed that this event will increase the arrogance of the Turks and incline them to reject the Ultimatum of Russia, and consequently be followed by immediate hostilities. We expect in a very few days to hear from Constantinople and I hope to give you the news by the ship which will sail on the 1st. June.

I had a letter from General Smith[99] giving me the particulars of the affair you had with Randolph which I am happy to find terminated without the loss of blood or honor. You need not quarrel with that unfortunate man on account of his peculiarities either on the floor of the house or in private conversation. I think from the style of some of his late speeches that he is as much - - - as he was when the Missouri question was under discussion, and you may drive a hole through his body, but can never drive a *fixed idea* from his brain. I hope you are yet friendly with Benton.[100] He corresponds with me frequently but I have not heard from him since the commencement of the last Session of Congress. If you can keep your temper and the affairs of the Country go on smoothly Mr Adams will be sure of being reelected. Every thing

[99] Samuel Smith was born in Pennsylvania, July 27, 1752, and died April 22, 1839. He graduated at Princeton; became a merchant and shipper; was in the state legislature of Maryland from 1790 to 1792; rose to rank of lieutenant-colonel in the Revolution; as brigadier-general of state militia he commanded the Maryland troops in the suppression of the Whiskey Insurrection; was major-general of militia in the War of 1812 in defense of Baltimore; served in Congress from March 4, 1793 to March 3, 1803, declining the nomination in 1802; was United States Senator from March 4, 1803 to March 3, 1815; served in the House of Representatives from January 31, 1816 to December 17, 1822; was again in the Senate from December 17, 1822 to March 3, 1833; and became Mayor of Baltimore in 1837.—*Biographical Directory of Congress*, 1541.

[100] Thomas Hart Benton is here referred to. He was long a United States Senator from Missouri, and was a cousin of the wives of Brown and Clay.

which can be done will be done to provoke him and you as you are both suspected of a little infirmity of temper. I hope you will disappoint your enemies by preserving a most inflexible sang froid under every provocation. The people possess a fund of good sense and will detect the ambitious designs of those who manage the opposition for their own aggrandizement.

Mrs Brown joins me in affectionate remembrances to Mrs Clay.

I am Dear Sir

Your Most Obed't Servant

JAMES BROWN

Hon Henry Clay

Paris May 29, 1826

Dear Sir,

It is now a long time since I had the pleasure of hearing from you or from any of my friends in Congress except General Smith who wrote me immediately after the fortunate termination of your affair with Mr Randolph. I wish much to see the papers and from them to discover in which light that transaction has been considered by the public. The disposition of your antagonist leads him so strongly in the road of distraction that I fear the risk he has run will not increase his small stock of prudence or improve his temper. At all events I hope you have terminated your disputes of that nature with him and that you will leave the good sense of the public to pronounce as to the truth or falsehood of anything he may hereafter say of you.

The session bids fair to close without having done any thing of public utility either as relates to our domestic or foreign affairs. The Mission to Panama has been very ungraciously sent and will perhaps arrive too late to be of any use. The divisions respecting the measures taken by the President in questions touching Cuba and the former Spanish Colonies will materially impair the influence we might otherwise have had with the European Courts. It is I think rather unfortunate that doubts should have been expressed as to the propriety of the declaration of Mr Monroe on the subject of colonization and the part we meant to take in case the European Sovereigns should attempt to interfere in the contest between Spain and her former Colonies. It has been believed that that

declaration was unanimously approved by the people and Government of the United States and this belief gave it such solemnity and importance that it was acquesced in if not approved by the powers of Europe. The speeches made by the opposition during the present Session of Congress will be considered as affording proof that the opinion of the American people is divided on the question and will therefore have a very pernicious effect.

The poor Greeks are now left, in consequence of the consent of the Porte to the Ultimatum of Russia, to struggle against their oppressors unasisted by any other power. The struggle cannot last long nor the result be considered as doubtful. From England nothing can be expected either in direct or indirect assistance. The French Government will remain neutral and some aid in way of voluntary subscriptions is all that can be expected. These must be unequal to the pecuniary wants of Greece. Fabviers Corps after months spent in disciplining it broke and fled at the first fire. He is said to have resigned his command and abandoned the cause.

I think it very probable that before this letter can reach Washington you will left the City for the western country. I hope that exercise, air, and relaxation from business will perfectly establish your health. My own which had been much better for some time has given way lately and some rheumatic fevers which destroy my rest convince me that the disease is yet working in my system. I have suffered so much during the last five years and have exerted my fortitude so constantly to bear up against it that my stock begins to be exhausted my nerves almost destroyed, and my love of life itself greatly diminished. With every thing around me to satisfy my wishes and tastes it is exceedingly irksome to find my health so bad as to deprive me of nearly all enjoyment. I think in the course of the next month I shall again visit the waters of Aix in Savoy for two or three weeks and try whether they will eradicate the remains of the disease.

Mr Sheldons health is better than when I last wrote.

Mrs Brown is as usual in good health and joins me in affectionate respects to Mrs. Clay

Yours most faithfull

JAMES BROWN

Honb Henry Clay

Paris June 12, 1826

My dear Sir,

I had the pleasure of receiving your letter of the (blank) April and have been relieved from my anxiety by finding that your health and spirits have not suffered from the fatigues and vexations you have experienced during the long and stormy session which has just terminated. I have never doubted but that the opposition had made a very unfortunate choice of their ground and that the people would very generally approve the conduct of the Administration in relation to the Panama Mission. In the course of the next year the Members who compose this opposition will find it necessary to designate their respective Candidates, and division will take the place of that apparent Union which has hitherto prevailed among them, and which has given a semblance of strength to their measures. New York will come out in favor of Mr Clinton,[101] Virginia and part of North Carolina and Georgia will adhere to Mr Crawford, whilst South Carolina, Tenessee, and Mississippi, will continue to support General Jackson. In all this I do not find that the Vice President is likely to gain much although it would seem at this distance that he is one of the most violent opponents of Mr Adams. He however will be well placed for observation, and although he may not obtain the highest place he may so dispose of his influence as to receive some agreeable post in case of a change in the Presidency. It is however most probable that these divisions will insure Mr Adams re-election which will, independently of that circumstance, derive strong support from the correctness of his political course, and from the prosperous condition of the Country.

Having for some days suffered a little from a rheumatic fever I shall set out on the 25th for Aix in Savoy where I shall not remain more than three or four weeks and hope to return in time to receive your additional Instructions. I am happy you have not presented the subject to Congress at this time for various reasons which I am sure a careful examination of the question; and a close attention to the present condition of Europe and particularly of France must have already presented to your mind. If we are

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[101] De Witt Clinton was born in New York, March 2, 1769, and died in New York, February 11, 1828. He graduated at Columbia in 1786; studied law and was admitted to the bar, 1788; opposed ratification of the federal Constitution; served in the New York house of representatives in 1797, and in the state senate from 1798 to 1802; became United States Senator in 1802, but resigned the same year to become mayor of New York City, which office he held until 1815, except for the years 1807-1809 and 1810-1811; was a state senator, 1805-1811; lieutenant-governor, 1811-1813; pushed the construction of the Erie Canal; and was a writer of note.—Appleton, *Cyclopaedia of American Biography*, I, 660-661.

forced to take decided measures we ought to chuse if possible our *time* to do so, and we have as yet lost no *honor* in the negociation we may afford to wait until we can select the moment when we can press with the greatest efficiency.

As Mr King intends to sail on the 1st. of July we may expect soon to hear of his Successor. I am happy that Mr Gallatin has been thought of, but I fear the state of his fortune and the great expense of living in London may deter him from accepting it. It is impossible to live in Paris for much less than twice the Salary, and the expences are somewhat greater at London than here. It is true that whilst it is expected here that Ministers shall entertain nearly as much as Ambassadors these last only receive much company at London. Our Countrymen expect attentions and generally bring letters to their Ministers. Their number, at least of such as feel a desire to go into society is about the same in the two cities. I have endeavored to send them away in a good humor and as far as I can judge, but few if any have been disatisfied with their reception at this Legation. Mrs. Brown as you know is fond of company and generally feels much pleasure in receiving Americans the greater part of whom by their pursuits, character, and manners, do great honor to our Country. We are sometimes put to considerable expence in providing for and sending home by Subscription, thoughtless, and sometimes worthless individuals, who float by their levity from their native shores without means and are found here in a state of utter destitution of all the necessaries of life. On all these occasions they consider the two hundred thousand Dollars of General Lafayette and the nine thousand dollars of the Minister as a contingent fund and they boldly draw upon it in all times of need.

The General has gone to La Grange where he will spend the summer. I wrote to him a few days ago and apologized as you directed me for your delay in answering his letters. As far as I can learn he has followed the good advice he received from his friends at Washington and takes no active part in politics. Owing no debts he has it in his power, with prudence, to spend the residue of his life in peace and tranquility.

I regret the unfortunate crossing of our drafts at Sea and hope that the plan I suggested of charging my draft of three thousand on the books of the Treasury and leaving me to draw for nine instead of twelve thousand francs for my present quarter

will answer the purpose. If not as Exchange is in our favor and Bills very difficult to be bought here you may draw on me at sight.

I have always apprehended that Mr Everett was too sanguine in his expectations of France England and the United States in the recognition of the South American Republics. At no time have the Ministers of France and England believed that the question would be easily given up by Spain a government very tardy in its decisions and influenced by Cabals all of which would inveigh against the surrender of any portion of the Domain. At all events you will have time enough to look out for a *Negotiator* before Spain will agree to submit the subject to the Mediation of any power. France and England are I have no doubt sincere in wishing the war terminated and doing all they can to effect that object. Mr Murphy the agent of Mexico was when I last conversed with him entirely ignorant of the Instructions sent out to the Columbian Agent to obtain a truce. Since that time I have seen the Columbian Agent who told me that he had communicated the project to Mr Murphy who disapproved it. I fear there is not that degree of concert in the operations of these Republics which would be desirable.

I am happy to find that Mr Sheldon's health about which I had some apprehensions is now nearly reestablished. The rapid decline in it which took place about eight weeks ago was in a great measure attributable to the sickness and death of his youngest brother who died of Consumption, the same disease with which Mr Sheldon was threatened and which has proved fatal to several members of his family. He will remain in Paris until my return and then perhaps make an excursion of a few weeks to the sea shore.

I have heard nothing from Mr Appleton for some time. When I last heard from he was waiting orders from Government and expected to come on to Paris.

Mr de Villele has withstood the attacks of the opposition better than was expected and will keep his place for some time. I believe I have sent you all the information which can be desirable in relation to the Antient Colonists of St Domingo. It would be an act of compassion and justice to these claimants to tell them that there exists great doubt here as to the ability of the Haitien Government punctually to pay the One hundred and fifty Millions

of Indemnity. It amounts to a debt of nearly two hundred francs per head on all the present population of that Island. I hope the claimants will remain where they now are and not come out to France in the expectation of receiving their portion and it would be well to convey this idea to them unofficially by a paragraph in the public papers.

It would give me great pleasure to know where you will spend the summer. If you could spend some time in New York and Philadelphia it might be of more use to your health than a journey to Kentucky.

Mrs. B. is well and joins in affectionate salutations to Mrs Clay

Yours truly

JAMES BROWN

Hon Henry Clay.

Paris July 26, 1826

Dear Sir

We returned last evening from Aix where we spent twenty days with very manifest advantage to my health. Whilst there we received your letter requesting Mrs. Brown to make some small purchases for you. She has already commenced her enquiries and hopes to complete your order and send you the articles by the Packet which will sail on the 15th. of August.

I am pleased at hearing that your health is as good at the close as it was at the commencement of the Session. The labors you had to perform and the disagreeable character assumed by a portion of the opposition were enough to try the strength and patience of one in robust health and I seriously apprehended their effect on your delicate constitution. It is to be hoped that the Journey and your exemption from care for a couple of months will furnish you with a sufficient supply of strength and spirits to withstand the fatigues and bear up under the angry attacks to which you will I fear be exposed until the next Presidential election. In the present condition of things public life can offer but few attractions. Public Servants are badly paid and often cruelly calumniated. It is difficult in any situation to give general satisfaction, and sometimes those who are the most anxious to please are the objects of the greatest censure. I fear Gallatin

will repent his visit to London. His salary and private fortune are too limited to admit of his entertaining the great number of Genteel Americans who visit that City. It is however fortunate for him that his Predecessors have not given any pernicious examples or inspired any extravagant expectations on that score, and that in England few of the Ministers give public entertainments. The choice reflects honor on Mr Adams, and ought to give general satisfaction.

The only occurences of moment here are the repression of the Janezaries by the Sultan, and the Constitution given by the Emperor Don Pedro to the Portuguese. The first was a bold measure and will probably succeed. If it does it will probably change the character of the Turkish Government and have effects which cannot now be distinctly anticipated. The Constitution of Portugal pleases the English only, under whose influence it is believed to have been made, and is particularly offensive to the Spaniards who are apprehensive that the example of a Representative Government so near them may excite the people again to revolt and revolution. It is generally believed that every diplomatic effort will be made by the Continental sovereigns to prevent its acceptance.

I have seen Mr Cooper who wants a Commission as Consul at Lyons. As we have never had a Consular Officer in that City which is as you know an inland position I have resolved before I wrote for Mr Coopers exequatur to have some conversation with Baron de Damas on the subject. It is probable that I may place it on the ground of the necessity of having some one at Lyons where our Merchants make their extensive purchases of silks, to certify the Invoices without requiring this to be done in Paris Marsailles or Havre.

I shall write more fully on the 15. and Dear Sir

Your Most Obed't Servant

JAMES BROWN

Honb Henry Clay,
Secretary of State

Paris Aug't 12, 1826

My dear Sir,

I hope this letter will find you in Washington and that you have found in exercise and relaxation from business, an improvement in your health. Unless the roads in Ohio have been improved

since I passed over them you must have suffered much from fatigue on that part of your journey. If the last Session had been spent in plans for improving the roads through the States where the opposition has been the most violent the time of Members would have been better employed than it has been.

The two subjects which impressed the public attention for some time have been the destruction of the Janizaries and the erection of a Republican Government in Portugal. The Sultan appears, contrary to the general expectation, to have gained a complete victory, and the organization of his troops all Europeanian goes on without opposition. The powers interested in finding in Turkey a counterpoise to the influence of Russia are highly gratified at this result. The friends of the Greek cause see in it increased ground for apprehension; and fear that this unfortunate people may after all their efforts sink into their former state of degradation. Their last hope is in the efforts of Lord Cochrane who, we have just heard, had arrived at Corfu with a considerable force. The subscriptions increase in amount and are raised in almost every part of the Empire.

The Portuguese Constitution will be not merely acquiesced in but received by a great majority of the nation with enthusiasm.[102] This state of public feeling there is not very agreeable to many

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[102] The suppression of liberalism in Spain led to a series of events in Portugal. John VI, King of Portugal, was weak, but well-meaning. His wife, a sister of Ferdinand of Spain, and his son, Don Miguel, were the chief conspirators against the Cortes. In June, 1823, a revolt arranged by Don Miguel brought the existing form of government to an end, but the King upon dissolving the government promised that a constitution should be bestowed on Portugal. He seems to have desired to keep his word, but ambassadors of France and Austria sought to dissuade him. Miguel prepared to use violence to prevent his father from making the concessions to the liberals. John, fearing for his life, appealed to England for troops, which Canning declined sending, although he did send a squadron to protect the king. Intrigue followed intrigue during 1823. In May, 1824, Miguel surrounded the royal palace with troops, but the king escaped to the British ships. Miguel was alternately cowardly and audacious, and then submitted to his foes who ordered him to leave Portugal. John died in the spring of 1826 without having granted the constitution. Pedro, his oldest son, had been made Emperor of Brazil and he could not rule both countries, so it was arranged that his daughter should marry Miguel and thus save Portugal to the family. Before renouncing the crown of Portugal Pedro granted a constitution. King John had appointed a regency which did not include Miguel nor the queen-dowager. Miguel had gone to Vienna where Metternich received him in great style. The soldiers who had joined Miguel in 1823 now proclaimed him king and fled to Spain, and the demands for their dispersal were evaded. The Clerical and Ultra party in all of Europe hailed them as heroes, and many from France and Austria joined them in Spain. The Spanish Carlists or Apostolicals joined them; they raided into Portugal; but all the regency could do was to watch these and the Spanish outrages. When Canning took part it might lead to a war with France, for French armies were now in Spain where the revolt had not yet been put down. Nine days after the request of Portugal, troops were on the march, which infuriated every court in Europe, but England stood back of Portugal and her new constitution. Miguel had promised to keep the constitution, but he could not quiet the people. He betrothed himself to Donna Maria who was still in Brazil, and he became regent. He dissolved the Cortes and set up the medieval estates, and in June, 1828, proclaimed himself king. The constitutionalists were brutally crushed, and his enemies took refuge in England and the Azores. Miguel put down all opposition and even attacked the English and French subjects in Portugal, and these nations sent squadrons into Portuguese waters. Pedro, threatened with revolution in Brazil, decided to go to Portugal. He reached London in July, 1831, where he raised an army and navy. He took Oporto, but Miguel besieged his brother in the town. The allies from Europe after a year enabled Pedro to win, and he entered the capital on July 28, 1833. The death of Ferdinand of Spain in September, 1833, ended the long struggle in the Peninsula. England, France, Spain, and Portugal made a quadruple treaty. Miguel was driven out and the Carlists were put down.—Fyffe, *op. cit.*, II, 224-233.

of the Statesmen of Europe. It is feared that the example will be dangerous to Spain & that another insurrection may break out in that unhappy Country. If the Spanish people resembled those of any other portion of Europe this might be the result. They however bear misery and oppression of every description with an inconceivable degree of fortitude or apathy, and consequently no one can conjecture how long they may remain in their present condition.

This country is the theatre of violent Theological controversy. The controversies of Jesuits and Jansenists[103] are renewed and are increasing daily in violence. The Jesuits I think are so firmly established as they were in the 17 Century and all the efforts of their enemies to expell them will be unavailing. But two years ago and all the Ministerial papers denied that a single Jesuit existed in France. It is now acknowledged in the Chamber of Deputies that they have been *tolerated* for several years, and it is proved that they already hold or dispose of most of the important offices under the Government. Many of the most eminent Lawyers have united in an opinion that the ordinances banishing this order from the Kingdom are still in force, and requesting the Courts to see that they are executed. The Courts can only hear the accusations on the motion of the Attorney General and it is supposed the Government would not permit him to prosecute.

Mrs. Brown has written to Mrs. Clay. By the Ship which will sail on the 25 I shall send you an account of what your articles cost, and a Bill to meet what you have in my hands.

I am Dear Sir

Very truly

Your Obed't Serv't

J.B.

Paris August 23, 1826

Dear Sir,

I hope this letter will find you and Mrs Clay in Washington and both of you much improved in health by the Journey. Mr Johnson of the Senate wrote me from New York on the 15th Ulto.

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[103] The Jansenists were a body or school in the Roman Catholic Church in the seventeenth and eighteenth centuries holding to the doctrines of Cornelius Jansen. Jansenism is a heresy which consisted in denying the freedom of the will and the possibility of resisting divine grace under a professed attempt to restore the ancient doctrine and discipline of the church. The Protestants regarded it as a reaction within the Catholic Church against the theological casuistry and general spirit of the Jesuit order and a revival of the Augustinian tenets upon the inability of the fallen will and upon the efficacy of grace.—*Century Dictionary and Cyclopedia*, IX, 541.

that he had heard of your safe arrival at Wheeling, that your health was improved and Mrs. Clays very good, but that apprehensions were felt that Mrs. Irwin would lose her child. I am really sorry that a journey from which you had a right to expect so much pleasure should have been rendered less agreeable and even painful by the occurrence of an event so distressing. I shall continue to hope that you may be preserved from this additional calamity and that you may find your grandchild restored to health.

Three great events have occured within the last six months, the consequences of which it is not easy to calculate. I allude to the suppression of the Janizaries, and the introduction of the European discipline into the armies of the Sultan—the reestablishment of the Order of Jesuits in France, and the adoption of a representative Government in Portugal. The steps which have been taken towards civilization in Egypt, commenced with the change of Discipline in the army, which was speedily followed by the introduction of the cotton culture, and of Steam Engines, and by the establishment of Schools and the foundation of Colleges. Within the last month about fifty young Egyptians have arrived in Paris in order to go through a complete course of Education in literature and Science with a view of qualifying them to become Instructors in the Colleges of their own Country on their return to it, and this as the Vice Roy states in his letter is done with the design of promoting civilization of Egypt. If the consequences of introducing the European discipline into the armies of the Sultan should be the same we may hope to see at no very distant day civilization spreading itself over that portion of the Globe which has for so many centuries been sunk in semi-barbarism, and Turkey may yet be qualified to give instructions to the Russian Empire as well as to resist its power.

The reestablishment of the Jesuits in France where twelve months ago the Government papers asserted the order did not exist, is certainly one of the most extraordinary occurences of the age in which we live. Their return to France and their being at the head of seven Seminaries was admitted at the last Session of the Chamber of Deputies when at the very same time the friends of the Ministry were busy in denouncing as Calumniators every person who insinuated that the order was to be found in the Kingdom. It is now found that they are strong enough in consequence of the support of their allies the *Congregation* to meet

all opposition and to make a bold stand against their adversaries. The Courts are not friendly to them, and believing the ordinance by which they were banished to be still unrepealed, would sustain a prosecution against them; but as all prosecutions must be instituted by the Attorney General, and as it is believed he would be dismissed if he would commence one, they may now be considered as beyond the reach of legal measures and of course firmly established in France. They are however exceedingly unpopular and it is not probable that with their rapacious, and enlarging, and intolerant disposition they will ever be favorites with the French people. The Journals are filled with Theological disputes which are daily becoming more bitter, and there is some reason to apprehend that they may end in religious wars or at any rate in the persecution of other sects. All this tends to weaken and may in the end convulse and agitate France which with union would be the strongest Government in the World.

The Constitution has been accepted in Portugal but not with that unanimity and enthusiasm which can assure success. The intriguers from every Government on the Continent and more especially from Spain will exert all their influence to overturn it. If it sustains itself the consequence probably will be a revolution in Spain. This is greatly apprehended by the King of Spain who is said to have ordered a *Sanitary Corps* to the frontiers of Portugal.

Our Commerce with this country it would appear is constantly to encounter objections and difficulties from this Government. A Vessel sailing from New Orleans cleared out as I presume for Cork and a market. The Captain was the Bearer of Instructions to touch on Cork for orders whether Greenich Liverpool or Havre should be the ultimate destination. On arriving in Cork he was ordered to go to Havre at which port he arrived without having broken bulk on the passage from N.O. He carried only the British Consuls certificate of origin which having been declared insufficient by the Custom House officers at Havre, her Consignee wrote to the Director General of the Customs at Paris complaining of the decision and requesting that if the Certificate of the Consul of France was thought necessary, time might be allowed to send for it, and thereby to entitle the cargo (Cotton) to the benefits of the Convention. The Director General answers that the British Consuls

Certificate cannot be admitted and that it would obviously be useless to send for any other proof because the vessel on sailing from New Orleans was destined for Cork, and that all vessels and Cargoes not Sailing *directly* for a port in France are *formally* excluded from the benefits of the Convention of June 1822. He adds that the French Consuls residing in the United States have received Instructions not to grant Certificates of origin to any Vessel not sailing *directly* for some port in France. On examining the Convention I have not discovered any expression which can be considered as forbiding a Vessel to touch at some port for orders provided she does not land or change her Cargo. I called on the Minister of Finance who promised to consider the subject and give me an answer in a few days.

The death of the Venerable father of the President has no doubt deeply afflicted the heart of his affectionate son.[104] Be so kind as to express to him my most sincere condolence on the event. It is a source of consolation to me on the loss of that most virtuous and eminent Statesman that I had the Satisfaction when at Boston in 1823 to be presented to him, and to have passed one of the most agreeable hours of my life in conversing with him. I have often regretted that although General Washington was a native of Virginia I never had an opportunity of seeing him. It is to be regretted that Mr. Jeffersons last days[105] should have been embittered by embarrassed circumstances and that he should have died before he had received proofs of the affection of his Country in the subscription which had commenced in different parts of the Union.

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[104] He here refers to John Adams, father of John Quincy Adams, who died on July 4, 1826, the same day on which Jefferson died.

[105] Jefferson became involved in financial difficulties after his retirement from the Presidency, and in 1814 he sold his library to Congress for $23,000, about one fourth of its real value. A few years later he endorsed a note for a friend and neighbor for $20,000 which he had to pay, and this cost him $1,200 a year in interest. He almost lost Monticello, but Philip Hone, Mayor of New York, raised $8,500 in 1826, to which sum Philadelphia added $5,000 and Baltimore $3,000. The sale of Jefferson's estate was insufficient to pay all his debts, and his favorite grandson, Thomas Jefferson Randolph, paid off the remainder of the indebtedness. South Carolina and Virginia each gave Jefferson's daughter $10,000, but she died in 1836. The plan to pay off his debts by subscription was dropped soon after his death. Jefferson had asked to be allowed to set up a lottery so as to raise funds for paying his debts, but this scheme was also dropped soon after his death. Thomas Jefferson Randolph, his executor, sold the personal property in 1827 and 1828 at a great sacrifice; and the real estate was disposed of in 1829 for a fraction of its real worth. Randolph even paid the bequests of Jefferson and finished paying his debts, which cost him a total of $40,000 from his own funds.—Appleton, *Cyclopaedia of American Biography*, III, 422-423; *Dictionary of American Biography*, XV, 369-370; Henry S. Randall, *Life of Thomas Jefferson*, 561-565.

Mrs. Brown enjoys her usual health and sends her affe'te greetings to Mrs. Clay.

I am Dear Sir very truly

Your most faithful servant

JAMES BROWN

Honb Henry Clay

Paris Aug't 23, 1826

My dear Sir

Mrs. Brown has already informed Mrs Clay that the purchases made for her had been effected, and the Articles sent to Havre to go in the Packet ship which will sail from that place on the 25. I shall this day inclose an Invoice to our friend Mr Isaac Bell owner of the Packet Ships who will be kind enough to pass them through the Custom House and send them to you.

You have a Memorandum inclosed of the sum expended except the charges to Havre which may amount to about fifty or sixty francs. There is no regular course of Exchange between France and the United States but my friend Mr Donnell the son of Mr John Donnell of Baltimore who will sail on the first has received from me Livres-2,250 which he promises by the inclosed letter to pay you in Baltimore at the par Value 18¾ cents per franc. There may be a small trifle left in your favor which Mrs. Brown will invest in some articles for Mrs Clay. Mr Donnell will sail from Havre in the Packet of the 1st. and will proceed immediately to Baltimore.

On hearing of the death of Mr Adams and Mr. Jefferson Mrs. Brown and myself put on mourning and have no doubt but that by a spontaneous movement of sympathy every American in Paris will give that and every other proof of the sense of affection and respect which they feel for the memory of those Patriots to whom we are indebted for the Liberty and Happiness we enjoy.

I find my health much improved by remaining only twenty days at the Hot baths, and am now very sorry that I did not venture to remain a few days longer. Mr Sheldon has left us for a few weeks on a journey to Dieppe in search of health. His

Constitution is extremely delicate but I think I discover some amendment since last year. I have not heard from Mr Gallatin since his arrival in London.

I shall be forced on the 1st. of October to change my Hotel and have found some difficulty in fixing myself to my wishes. I cannot obtain a decent establishment on a rent of less than 18,000 francs. This bears a fearful proportion of my Salary but I must submit to it. It is probable that rents in the Course of the next twelve months will fall as building has gone on largely in every part of the City. It is now believed that living is cheaper at London than at Paris.

I am Dear Sir very truly

Your friend &c.

JAMES BROWN

Honb. Henry Clay.

Paris Sept 12, 1826

Dear Sir

I find no news in circulation of any great importance since the date of my last letter. The Portuguese Constitution is not to the taste of any of the Contintental Sovereigns but as England appears determined to support the regency in carrying it into complete execution, I do not believe that any attempt will be made from any quarter to put it down by force. It is however to be expected that intrigues will be Carried on for the purpose of exciting the people of Portugal to oppose it, and indeed several insurrectionary movements have already been made to put it down all of which have been detected by the vigilance and crushed by the energy of the Government. The king of Spain has felt his want of means to attack it and has contented himself by issuing a manifesto in which he states that the example of the state of things in the neighboring Kingdom is rendered innoxious by the loyal sentiments of the Spanish people who are attached to an absolute Government, and he promises that he will never consent to any change in the present happy condition of his subjects. Before he adopted his course it is said that he consulted the great powers and by representing the dangers to which Spain and all Europe would be exposed from tolerating a representative Government in Portugal he endeavored to induce them to take

efficient measures to prevent the adoption of the Constitution. He has been advised to acquiesce and to confine himself to the adoption of precautionary measures in order to prevention the contagion of liberal principles from passing into Spain. As however the Portuguese Malcontents take refuge in Spain, and those of Spain in Portugal, disputes arising from that and other causes are almost inevitable and may ultimately lead to hostilities. Indeed there are causes enough to produce war in the state of affairs in various quarters, but the deranged condition of the finances of every one of the continental powers except France prescribes the necessity of preserving peace. I do not think that with all the efforts which will be made to prevent war it can be postponed for any great length of time.

The Sultan has so far succeeded in his bold attempt to disband the Janizaires and to introduce the European discipline into his armies. He has however by an immense waste of blood and treasure, and at the latest dates from Constantinople, the most alarming discontent prevailed which it was apprehended would produce open acts of rebellion. The negociations with Russia were on the point of being opened by the Commissioners of the port at the last dates, and it is thought that although every attempt will be made to avoid on the part of Turkey a final adjustment of the points in contestation between the two Countries, yet the agents of Russia availing themselves of the critical state of affairs at Constantinople will press the business to a close. It is believed that the Vice Roy of Egypt is disatisfied with the continuance of the war in Greece as he no doubt is with the losses in men and money which he has sustained in carrying it on, and that he has determined not send any reenforcements to Ibraham Pasha. No news on which any reliance can be placed has been received from Lord Cochrane. At the latest dates from Greece he was said to be at Cagliari waiting for the arrival of the steam boats from England which in consequence of the defects in their construction will not be in a condition to go to sea for some time. The Greek committees of France and England are still very active and zealous in the cause and are doing all they can to repair the injuries sustained in the finances of Greece by the mismanagement of their Agents in London. The Duke Dalberg one of the richest peers of France has spent some time in London on that himself. The affairs of the Greeks are however in a deplorable state, their finances completely exhausted, and their councils distracted by contending parties.

Mr Stephen Kingston who had an old claim on the French Government for the value of a Vessel & Cargo captured and condemned by the French Authority at Carriacou, has just sailed after spending twelve months in France in pursuing his claim with a view of inclining the Government to lend a favorable ear to his claim he commenced his memorial by stating that he had carried in one of his ships, without any compensation, sixty French subjects from Bermuda to Charleston in order to prevent their perishing from want of the necessaries of life. The Minister of Marine rejected this claim for indemnity as unfounded, but applauded the Generosity of his conduct to his majesty's suffering subjects. Mr Kingston then prepared a renewed representation of his case changing its aspect and asking compensation to the amount of 26,000 francs for the expences incurred in transporting and feeding the French refugees on their voyage from Bermuda to Charleston. The memorial was referred by the Chamber of Deputies to the Minister of foreign Affairs who paid Mr Kingston ten thousand francs, and as I have heard gave him a passage to the United States.

Mr Donnell who sailed on the 1st will pay you the ballance of my draft in favor of Madame Pasta. You will find the account in my last letter.

We find ourselves for the third time forced to change our Hotel. The one we have now taken is in the Faubourg St Germain very near the one we now occupy. We have taken it partially furnished for fourteen thousand francs per an but when completely fitted up it will cost us about eighteen thousand. It is not quite so good as the two former ones we have occupied but is certainly dear enough for our moderate means. If you see Mr Hulme you may say to him that I have hopes that his son will obtain admission into the manufacturing establishment of Mr Gerreaux where the woolen dips are considered equal to any in the world. You may assure him that I shall do all I can to promote the views of young Hulme who appears to be a very excellent young man.

Mr Randolph and the son of D R Williams[106] who appears to be much attached to him staid a few days in Paris and then

[106] David Rogerson Williams was born in South Carolina, March 12, 1776; graduated at Brown in 1796; studied law and was admitted to the bar; served in Congress from 1805 to 1809 and from 1811 to 1813; was a brigadier-general in the War of 1812; was governor of South Carolina from 1814 to 1816; practiced law for many years; was assistant editor of the *Charleston Courier* for a long time; engaged in manufacture; was accidentally killed at a new bridge over Lynch Creek in South Carolina, November 17, 1830.—*National Cyclopaedia of American Biography*, XII, 164.

left for London. Mr R appeared to be in good spirits and disposed to be very amiable during his stay here. This you will perceive is no more than a hasty private letter and hardly fit for your own eye.

I am Dear Sir very truly yours

JAMES BROWN

Hon. Henry Clay.

Paris Oct'r 22, 1826

Dear Sir,

I have not had the pleasure of receiving a line from you since you left Washington, but I learned from the public Journals that you had left Kentucky for Washington and intended to visit the White Sulphur Springs in Virginia on your way. These waters will in all probability be of great use to you if you arrive sufficiently early to have warm weather whilst you are using them. The summer on those elevated portions is very short and it is, or was, no uncommon occurence to experience pretty keen frosts there early in September. At all events you will pass through a fine healthy country, and from the combined effect of exercise, air and repose you will I trust lay in a good stock of health for the next campaign. It will probably be as warm as the last although I cannot imagine what subject will be laid hold of by the opposition as a substitute for the Panama question. The Friends of General Jackson will I am told be exempted from a competition except with the President. It is said here that Calhoun & Clinton will unite their forces with those of the General and that Mr Crawfords friends will belong to the same party. It is to be feared that we shall have but little repose until the next election has taken place.

Mr Gallatin remained but a very few days at this place. Mr Canning is yet here but will leave tomorrow or the day following. He is thought to have been employed on some important matters since his arrival. However this may be, I think the Ministry in England will find in the state of their revenue sufficient trouble at home without seeking for it abroad, and I still think as I have always thought that the conditions of the finances of all the great powers will prevent the possibility of war.

I have been for the third time since my arrival obliged to change my residence. I have had the Hotel of the Minister of

Denmark during the last year he having obtained a Congé for that time. The Hotel or rather portion of a Hotel which I am occupying, is quite respectable but will cost me nearly eighteen thousand francs per ann. Mr Gallatin complains heavily of the expences of living in London and I believe will be disposed to return as soon as he can decently do so. And yet I do not believe that the expences of Paris are much lower than those of London. A house in which a Minister can decently reside in London will cost about £600 Ster'g and I do not think that any Minister in Paris is lodged on terms so moderate. Ministers here are expected to entertain which I am told is not the case to the same extent in London. Our Countrymen who hunt for instruction or amusement generally prefer Paris to the British Capital and generally bring letters to their Minister. Do not believe from all this that I wish an increase of Salary which I know would be refused if asked for. I accepted the charge with a full knowledge of the cost, and when I cannot support it I shall ask permission to return.

I do not perceive why any difference should be made in the allowance for office rent &c & between this place and London. Mr Sheldon informs me that the office rent charged in London has been allowed at the rate of a Guinea per week whilst here we have charged only forty pounds per annum. He says that there an allowance has been made for fuel and lights which we have never charged and both of which cost nearly twice as much here as there. It is my belief that the difference is made also at Madrid. I intend to submit my next account at the same rates and you can decide upon them as you please. I find my last was settled and closed to the 1st. of Dec'r. How do you stand with Benton? He was very much your friend when I left Washington, but was at that time very hostile to General Jackson. I discover the dislike of Jackson is over, but although he writes to me very frequently I cannot discover how he stands affected towards you. Will Randolph be reelected? If the choise is between him and Giles I do not think the difference very great as relates to the administration. The latter would preserve more decency in debate unless he is greatly changed since he left the Senate. I hope that Livingston has been elected. He will not oppose the adminisistration on light grounds and he will if he does oppose it do so in a gentlemanly manner.

I have not heard from Appleton for some weeks. He has directed his letters to be kept here until he arrives and we have expected him for some time.

This Government sees with some displeasure that we have nearly all the carrying trade between the two Countries and although they may not set aside the Convention they harrass our merchants as much as they can. I have frequent occasions to apply to them here to correct the decisions of their collectors in the different Ports. This will be the case so long as we have our present superiority in the carrying trade. Where vessels have engaged to deliver part of their cargoes at one and part at another port of France attempts have been made to collect the Tonnage duties in both. These attempts have been resisted and on an appeal to this place have been overruled. I have already given you the decision of the Treasury here requiring that the voyage should in all cases be direct in order to entitle the cargo to the advantage of the low duties. Another case of the same kind having occured I shall again press it and address a letter to Mr de Villele remonstrating against the decision.

Mrs. Brown is well and joins me in aff'te greetings to Mrs. Clay

I am Dear Sir very truly

Your friend

Hon. Henry Clay. JAMES BROWN

Paris October 29, 1826

My dear Sir

I have not had the pleasure of receiving a single line from you since the month of June. Having heard from some of my correspondents that your health *was bad and your spirits worse* I have felt very uneasy to learn something from yourself. I see from the Intelligencer and from an indorsement on a letter of Doctor Brown[107] which you inclosed that you had returned to

[107] Doctor Samuel Brown, the brother of James and Senator John Brown, was born in Virginia, January 30, 1769, the son of Reverend John and Margaret Preston Brown. He was educated in the grammar school of his father and in Dickinson College, Pennsylvania, and then studied medicine under his brother-in-law, Dr. Humphreys of Staunton, Virginia, under Dr. Rush of Philadelphia, and at Edinburgh, Scotland. He practiced at Bladenburgh, Maryland, then at Lexington, Kentucky, and in 1806 he moved to New Orleans. He married Katherine Percy and settled on a plantation near Natchez. His wife and youngest child died in a few years, and then he located on a plantation near Huntsville, Alabama, and spent some years educating his two children. He and Daniel Drake planned to open a medical school in Cincinnati, but Brown was offered a teaching position at Transylvania University where he had taught for some time during his early years of practice beginning in 1799, which place he accepted. He held the position until 1825 when he resigned in favor of Daniel Drake. He was a writer on medical and other topics; organizer of the medical society called the "Kappa Lambda Association of Hippocrates"; suggested the process for clarifying ginseng; made valuable suggestions in regard to distilling spirits; was a pioneer in the use of vaccine for smallpox in Kentucky; and died in Huntsville, Alabama, January 12, 1830.—Howard A. Kelly and Walter L. Burrage, *Dictionary of American Medical Biography*, 157-158.

Washington and I hope that you will as soon as you recover from the fatigues of your journey let me hear from you. It gives me pleasure to discover from the papers that you have been received every where with marks of kindness and confidence which will have their effect in diminishing the number of the dastards who only strike where they believe their adversary down but favor and flatter when they find him on his feet.

Mr Canning has returned with a belief that all will be quiet on the Continent. I think he is right because they all want repose, and still more, *funds*. The state of England is very embarrassing and the Ministers will have a hard task to perform at the opening of the Next Parliament. The deficit in the revenue is said to be very considerable and it is not yet perceived how it can be supplied.

This Government is straining every nerve to render itself formidable on the Ocean and for that purpose is doing all it can by extending its commerce to increase the number of seamen. For the purpose of increasing its force large squadrons of armed vessels are kept cruising every where, and about sixty millions are employed annually on the Navy. Their Navy officers are well instructed and they only want seamen in order to carry out a very formidable fleet.

Renew my affectionate salutations to Mrs Clay to whom her sister begs to be remembered

I am dear Sir very truly

Your most faithful Serv't

JAMES BROWN

Honble Henry Clay

Paris Nov'r 29, 1826

My dear Sir,

I am happy to find from a letter which I received from Mr Isaac Bell of New York that the Henry having on board the things sent out by your order has safely arrived. This vessel had an unusually long passage, and we felt some apprehensions for its safety. I have seen the arrival of the Edward Bonnifee, which sailed some days after the Henry, announced, and presume that you will have seen Mr Donnell of Baltimore who went

out passage in the first of these ships and who received of me here, and promised to pay the balance remaining on the whole affair. If you should meet with young Donnell, I hope you will notice him as he was attached to this Legation, was very intimate with us and is a young gentleman of good education, good talents, polished manners and strict integrity. He is the son of Mr John Donnell of Baltimore and has spent three years on this Continent during which time he has visited almost every part of Europe. If you wish any thing more sent to you I hope you will feel no hesitation in commanding our services, and instructed by what has happened we will be able to manage the fiscal part of the business better than on the previous occasions.

The Count de Menou called on me yesterday and we spoke together on the subject of our claims. He is well acquainted with the Ministry and knows their views in relation to our affairs. He intimated that even if Ministers were disposed to pay them great opposition might be expressed from the Chambers to making the necessary appropriations, as well because many of the Members believed that the present dynasty ought not to satisfy for the wrongs done by the former, as because much danger was apprehended from the admission of the principle of responsibility. He added in his opinion it would have been much more easy to have obtained an appropriation for the payment of our claims immediately after the restoration than at this time, and he intimated that the Government might now take the ground hinted at but too plainly in the last letter which I received from the Baron de Damas unless something could be done by opening a general negociation on all the subjects of difference subsisting between the two Governments. I told him that for the honor of the French nation I hoped the Ministry would not take the ground to which he alluded—that it was manifestly untenable on principle—that it would stand in opposition to the whole course of conduct of the Government ever since the restoration, and being presented at this stage after many years of negociation during which it had never, under of the former Ministers, been put forward, it would now present itself with a very bad grace. That as to the delay, and the increased difficulties consequent upon it, of obtaining appropriations, they could in no manner be chargeable to the Government of the United States—that the Duke of Richelieu had requested Mr Gallatin to wait until other pressing claims had been satisfied when ours would obtain a more

favorable meaning—that the delay since had been wholly attributable to the French Government which had for years given no answer to our application and had never interposed the objection that France under the Bourbons was irresponsible for the injuries done by Napoleon, and had on the contrary intimated an intention of paying for the vessels burned and destroyed on the ocean. I added that if this ground was once assumed it put an end to all further attempts to arrive at an amicable adjustment. As I knew the Count de Menou was in habits of almost daily intercourse with the Minister of foreign affairs, and would probably repeat to him what passed between us, I enlarged considerably on the subject, and intimated the danger to the good understanding between the two countries arising from a refusal to liquidate claims so just in themselves and in which the Government and people of the United States felt so much interest. He said he thought it could be effected by a negociation of the matters in dispute generally. I told him that the claims of France, the justice of which I saw no reason to admit, were reducable to the question under the Treaty, and to the claims of Beaumarchais heirs—that we had always been ready to go into the examination of the last, and that both of them combined must give, even if admitted, an amount so trifling, that they could not seriously be considered as forming a ground on which to arrest the settlement of the claims of our citizens for property wrested from them many years ago in defiance of any principle of justice. He said that in case France agreed to settle our claims, it was to be feared that Naples and Holland when pressed by us, as they undoubtedly would be, might insist that France should meet the responsibility as it might be contended that those illegal seizures had been made under the orders or influence of Napoleon. I told him that we had nothing to do with that question. He expressed a strong wish to see the disputes between the two countries termination. The conversation was private and I would not violate the implied obligation of confidence so far as to make it the subject of a dispatch to the Government whilst I have thought it my duty to mention it to you in a confidential manner. I did understand some time ago that the Count de Menou would be sent immediately to Washington to act as chargé d'affaires on the departure of Baron de Mareuil who will return to France early in the Spring. I now hear that he will not leave this before the 1st. of January. He is remotely related to the Minister of foreign Affairs, more

nearly to the Duke de Damas first Gentleman of the Daulphin, and has many respectable friends and connections near the King.

The state of Continental affairs has undergone no change since I wrote you last. The Speech of Mr Canning who describes England as occupying a high rank in Europe and as having come to a determination to sustain Portugal under the Representative system, has not exactly pleased the Ultra royalist party here, which connected as it with the Jesuits and the Congregation is very strong, and violently opposed to the spread of liberal principles. The Ministry however will have their majorities in both Houses and consequently will retain their places for some time.

Since writing the above I have received your letter mentioning that you had seen Mr Donnell and heard of the arrival of your effects.

Mrs. Brown is in good health and sends her affectionate salutations to her sister.

I am Dear Sir very truly

Your faithful & Obedient Servant

JAMES BROWN

Hon Henry Clay

Paris Dec'r 13, 1826

Dear Sir,

The King opened the Session of the two Chambers by a Speech a copy of which I now inclose. The attempt to impose further restraints of the press already kept within very narrow limits by a series of severe sentences against Booksellers and Editors of public Journals, excites very considerable alarm; and the uneasiness on this subject is increased by the apprehension that the measure is taken in favor of the Jesuits who have lately appeared in every province of France. It is said that the Ministry have been divided in relation to this and to several other important measures, the Ministers of Finance, Justice, Marine and Interior voting together against the Ministers of Ecclesiastical affairs, Foreign Affairs, War, and Kings Household. I need hardly observe that the last are supposed to be the least friendly to liberal doctrines. The law as it is supposed will readily pass the Chamber of Deputies, and it is from the Peers alone that opposition may be expected.

The affairs of Spain and Portugal have for some days attracted some attention. The invasion of Portugal by a body of refugees who have received arms and money in Spain and who have proclaimed Don Miguel King with a regency of which the old Queen is the head, was made the subject of a very severe note by the British Ambassador to Mr Salmon. On the 28 Mr Salmon addressed a letter to the Ambassadors of Russia Austria England and France in which he states that the Portugese refugees abusing the generous hospitality which had been extended to them and eluding the vigilance of local authorities, had invaded Portugal—that his Majesty, wishing to repair as far as possible the evil consequences which might follow this unexpected event, and to prevent the recurrence of a similar abuse of his hospitality, had instructed the Captains General of the frontier Provinces to inform the Government, that they had disarmed the Portuguese deserters, and had also exacted the return of all the arms of such Spaniards as had deserted into Portugal, that the Portuguese Emigrants had been ordered to withdraw from the frontier sixty leagues into Spain and that not more than forty should remain in any one depot—that in future no armed deserters shall be received, nor any aid or asylum afforded beyond what mere humanity may require—that the Count de Canellas and the Marquis de Chaves[108] shall receive orders to quit the Spanish Territory, and on refusing to go shall be sent out escorted by Gendarmire, and finally that those orders shall be rigorously executed on the responsibility of the officers to whom they are addressed.

As you will now receive dispatches from Madrid of the very latest dates and as you no doubt will hear from London, I shall not state all the loose accounts which are afloat here from Portugal and Spain. It is barely necessary to observe that neither the general opinion here nor the state of the stock market would incline me to believe that a continental war is expected. The Ultra Royalist and apostolical parties are suspected of being the main agents in these movements in Portugal, and are said to possess their belief that a counter revolution will take place there, the army and great body of the people, being, as they suppose in favor of absolute Government. Their plan will be to deny positively, and to conceal as far as possible their agency

[108] Marquis de Chaves (Manoel de Silveira Pinto de Fonseca), Count of Amarante, was born at Villareal in Portugal, and died at Lisbon, March 7, 1830. He was a Portuguese general and absolutist politician, 1823-1828.—*Century Dictionary and Cyclopedia*, IX, 240.

in the business, to rely on the superiority of the party in Portugal opposed to the Constitution, and to claim Mr Cannings promise that England would not interfere in case other powers equally abstained from interfering in the internal affairs of Portugal.

The packet which sailed from New York on the 15 of Nov'r has arrived. I received the Washington Journals to the 9 O K.

I am Dear Sir very respectfully

Your faithful serv't

JAMES BROWN

Hon Henry Clay
Secretary of State

Paris Dec'r 29, 1826

My dear Sir,

In my dispatch marked "private" which was sent by the Packet ship which sailed from Havre on the 25. I gave you my views of the events passing in Portugal and of the probable consequences of them on the state of the relations of England and France. Nothing has occured since to change the opinion I then expressed that this continent would remain in peace. The prompt and decided measures taken by the British Cabinet to aid Portugal, the unanimity with which the measures were adopted, and the apparently firm and frank manner in which the French Ministry gave their approbation to the course pursued by Great Britain, have given a salutary check to the fanatical party, and much satisfaction to the great body of the French people. The British Ambassador at Madrid had demanded that Spain should within a limited time acknowledge the Portuguese Regency and Constitution or give him his passports and little doubt was entertained on the 19 as to the alternative she would chuse. How far she will be able to prevent the intrigues of his Monks and Priests from disturbing the peace of the Peninsula is still a question of some importance of which time alone can afford a solution.

The apostolical party[109] here which has greatly increased in numbers wealth and influence since the death of the late King,

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[109] The Apostolicals or Apostolics made up a political party in Spain that supported the Catholic Church and absolute government. It dates from the restoration of the Bourbons and lasted until about 1833, when it consolidated with the Carlists.—*Century Dictionary and Cyclopedia*, IX, 67.

is said to be greatly displeased with the Ministry for their conduct in relation to Spain and Portugal. It is not improbable that some sacrifices may be made of a nature to propitiate them, and indeed the project of a law to abridge the liberty of the press which you will find in the Constitutional, is said to have been presented to the Chamber of Deputies for that purpose. It will pass the popular branch by a large majority but will be rejected or much amended in the Chamber of Peers. The Courts have lately been unusually severe in the trials of liberals, and from the number of convictions upon what we should consider as very inadequate grounds one would suppose that the press was already under restraints sufficiently severe.

The Ultra party are delighted with the news from South America. The adoption of Constitutions making the President eligible for *life* with the power of appointing his Successor is, they say, one step towards a well ordered system; and the conduct of Bolivar,[110] in proposing that form of Government, and accepting the Presidency of Peru, they consider as the prelude to declaring himself Emperor of all South America. I fear the South Americans will rather disgrace than add lustre to the Republican principles. Their bigotry and ignorance must for some time render them very unfit administrators of the public interests. The Courts of Europe have now opened relations with them by means of Commercial agents, and these will use every means to disgust them with Democratic institutions, and to induce them to prefer monarchies.

I hope the result of the Elections by proving that the people are satisfied with Mr Adams will have the effect of allaying the violence of the opposition and enabling the administration to pass more quietly on its journey. The two Packets of the 1st and fifth Inst have not arrived and consequently we have no letters or papers later than the 15 Nov'r. I have not heard from Mr Gallatin for some time. I am afraid he will find much trouble in settling his affairs in England.

Our friend Lafayette seems to have profited by the advice of his friends in Washington. He has been very quiet and consequently very happy since his return from the U States.

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[110] Simon Bolivar was born at Caracas, July 24, 1783, and died at San Pedro, December 17, 1830. He took a leading part in the revolutions in Spanish America; drove the loyalists from northern South America; and then with the aid of other patriots freed Peru and Bolivia. In 1825 he was asked to make a constitution for Bolivia and to become perpetual dictator. This state included Peru and Bolivia, but these states soon turned against him; however, he was President of Colombia until his death.—*Century Dictionary and Cyclopedia*, IX, 167.

Mrs. Brown enjoys fine health and joins me in requesting you to make our affectionate greetings to Mrs. Clay with the Compliments of the Season.

I am Dear Sir very truly

Your friend & Obed't Serv't

JAMES BROWN

Hon. Henry Clay
Sec'y of State.

Paris Jan'y 13, 1827.

Dr. Sir, (Private)

When I last wrote you the prevailing opinion was that the peace of Europe would not shortly experience any interruption. The unanimity and promptitude with which the succors of Portugal were voted and sent, the decided manner in which Ministers here condemned the insurrection, approved the conduct of Great Britain, and threatened to withold from Spain any assistance in case of her involving herself in a war by intermedling in the affairs of the Regency, all tended to create a belief that Ferdinand would observe a strict neutrality, and that the insurgents would speedily submit to the Constitutional Government. The British Ambassador at Madrid demanded that Spain should immediately recognize the Government of the Regency, dismiss the obnoxious Minister Calomarde, and punish those Commandants by whose assistance or connivance the refugees had invaded Portugal. No answer to this demand has yet been communicated to the public in an official form. The Quotidienne an Ultra paper notoriously in the interests of the apostolical party has stated that the demand was refused, and we are now informed from a less questionable quarter, that whilst Spain has consented to receive a Minister from the Regency and to send one to Lisbon, she has ordered a large army amounting, as some accounts state, to twenty thousand men, under the command of General Rodil, to proceed to the Portuguese frontier, for the ostensible purpose of preventing the malcontents of Portugal from entering the Spanish Territory. The composition of this army, the character and political opinions of its commander, and the influence under which it is supposed to act, have given rise to the opinion that it is intended to encourage if not to assist the insurrectionary move-

ment in Portugal. This apprehension is strengthened by the violence of the Apostolical party here and the encouragement which their friends in Spain will draw from the representations they will no doubt make of their numbers and of their influence with persons of devoted rank in the Government.

The Marquis de Moustier late French Ambassador to Madrid returned some time ago and was, it was said, not very well received by Ministers. He was however received by the King, and in a manner, as he states, not calculated to impress him with the opinion that he was disgraced. Some Spaniards suspected of intriguing in favor of the apostolical party and of furnishing matter for the Quotidienne, have been ordered to leave Paris. It is said that they still remain in the City and boast that they have powerful protection. These circumstances are mentioned in the political circles as reasons for apprehending that the troubles in Portugal may be more serious and of longer duration than we had at first imagined. The accounts we receive of the strength and progress of the disaffected party in Portugal, are confused and contradictory. The dislike to the new order of things is however more general than it was at first believed to be, and at the last accounts the invading armies were advancing towards Oporto and Lisbon. As the Ministers of all the great powers are doing every thing they can to prevent War I cannot think that the Spaniards will be so rash and inconsiderate as to provoke it. Orders have already been sent to the Swiss Regiments at Madrid to return to France and attempts are making to replace them by voluntary enlistments from the body of Royalist Volunteers. As these however have entered into service more for the purpose of plundering and insulting the Constitutionalists than of defending the interests and honor of their Country, they are unwilling to engage them for any definite period. If we may believe the latest accounts from Madrid a great portion of the troops ordered to the frontiers of Portugal had already departed, and indeed it is suspected that the Portuguese insurgents will be reenforced by desertions from the Spanish army.

The Chambers have been in Session several weeks and the projects of laws proposed by Ministers have been under discussion in the Committees. The one on the liberty of the press seems to encounter the most violent opposition. It is somewhat singular that whilst it has been attacked with an unusual degree of asperity by the opposition Journals, the Ministerial papers have not said

a word in support of it. It is true that after hearing the attacks during eight or ten days, an article supposed to be written by one of the Ministers appeared in the Moniteur, but this was not inserted in any other paper until a formal order requiring its insertion was addressed to the several Editors by the Prefect of Police. It then appeared accompanied by editorial strictures calculated to render its insertion more injurious to Ministers than would have been a suppression of it. If an opinion as to the fate of this bold attempt to destroy the Press, might be formed from present appearances, we would be inclined to think that both Branches are prepared to reject it. As the influence in support of this law is believed to flow from an elevated source, the public mind is greatly agitated and will continue to be restless until it shall be either rejected or amended in many important respects.

The Swiss Regiments in French service have been ordered back from Madrid.

We have nothing new from Greece.

The Queen Mai being a bad Sailer, I shall write you more particularly by the Louis which will sail in a few days.

I am Dear Sir with great regard
Your very faithful serv't
JAMES BROWN

Hon Henry Clay

Paris Jan'y 23, 1827

Dear Sir

Inclosed you have a letter for Mrs. Clay from her sister which will give you all the news of the family. I delayed writing to you until the last moment in the hope that we should have had something more worthy of being communicated than what you will find in my dispatch which goes by this ship. Many here believe that Spain will feel herself bound to put down the Portuguese Constitution *malgre* the English and that she will obtain friends from the Clergy every where to aid her in this undertaking. If the French troops were withdrawn, I should not be astonished if the Government would be much pleased to see England engaged in an unprofitable Guerrilla War in the Mountains of Spain, and would receive as much amusement in seeing Great Britain born down by the load of Portugal as Mr Canning was

with finding France groaning under the burthen of Spain. In truth England is in a very perilous situation and she knows it. If the Ministry here would unite the people by honestly administering the Government agreeably to the Constitution, and would not give up the reins to the Jesuits this would be the strongest nation in Europe. The Portuguese do not generally wish a Constitution, and it is no easy matter to force one down upon them, more especially when the insurgants are encouraged by Spain and by the Clergy in this Country.

I have not heard from you since October but this is easily accounted for by the numerous matters which at this season claims your whole attention. I wish the Session was over. I am afraid it will be more stormy than the last. Tell Johnston[111] to write to me.

I have sent on my account and wish it settled to the first of the year. My postage account grows in consequence of the passage of Mr Everetts and sometimes Middletons and Appletons correspondence through this place.

My health has become very good and I hope another summer at the waters will entirely restore it.

I am Dear Sir

Yours truly

JAMES BROWN

Hon Henry Clay

Paris Feby 23, 1827

My dear Sir

The troubles in Portugal are on a scale so diminutive and the incidents accompanying them are of so little importance, that I shall not add a dispatch on that subject to those you will receive from our diplomatic agents at Lisbon and Madrid. You may form a just opinion as to what is thought of the probability of a war here and at London by the examining the prices of stocks which you are to bear in mind are so sensative as to have been depressed by the Law of the Press here and by the indisposition of Mr Canning at London whilst the news from Portugal has had little or no influence upon them. The insurgents are few in num-

[111] Josiah Stoddard Johnston, then a Senator from Louisiana.

bers and desperate in fortune and character and they have been beaten wherever they have shown themselves to the Constitutional troops, although these are neither very well disciplined nor heartily attached to the Constitution. The ranks of the rebels are daily becoming thin by the desertion of the deluded regiments who joined them. The apostolical purse from which all the ways and means have been obtained is nearly exhausted and the partizans of disorder have become discouraged by finding that all the Cabinets in Europe have frowned on their cause. England has trouble enough with her corn laws, Catholic question, and the growing distresses among the poorer order. France is prosperous but not satisfied or happy. Ministers have excited alarm and discontent by the protection of the Jesuits, the encouragement given to the Congregation, by the laws on the Jewes and the Press and in a word by a supposed attempt to fritter down the Charter and restore the Ancient regime. Russia and Austria and even Prussia have strongly recommended a peaceful policy to Spain. With such an influence on the side of peace I have little apprehension that hostilities will commence at least for some time. I hope our merchants have not speculated on the prospect of War.

The Chambers have been in Session ever since the 14 Dec'r and have not passed a single law of any importance. The project on the press has undergone many amendments in the Committee and may probably pass as amended. It is even now very unpopular and indeed I think it may be considered as deserving all the odium it has excited.

I have not had any letters or papers from Washington of a later date than the 1st. Jany. The last Packet from N York has now been out 40 days the longest passage from the United States which has been made in the last three years. The winter here has been unusually severe. I have however had no return of my rheumatism Mrs. Brown enjoys her usual good health. I am very anxious to hear how you got through the Session.

I shall write you on the 5th.

Yours truly

JAMES BROWN

Hon. Henry Clay

(private self) Paris March 23, 1827

Dear Sir,

The state of things in Europe have been so extraordinary for some time and the uncertainty as to what would be the future condition of Europe so great that I have forborn to trouble you with the loose speculations which we hear every day but which are generally destroyed by the events of the morrow. Since writing my dispatch which will go by this vessel the news of the 13 has been received from Madrid. It is stated in private letters that General Sarsfield who commanded the army on the frontier of Portugal finding it disposed to revolt and to join the Constitutionalists, immediately left it, proceeded to Madrid, obtained an audience of the King, communicated the discovery he had made, and advised, that war should by all means be avoided if the king did not wish a revolution. In consequence of these intimations Ferdinand it is said issued orders to the Officer commanding at Zamora to disarm the Rebel Portuguese and march them into the interior. It is now said that their number amounts to four thousand including Chaves, Monteleagre, Telles Jordao and other officers of distinction. It is fortunate for Great Britain if this news is true for if the Spanish army had felt equal zeal with the Government in the cause of despotism the British troops could not have remained three months in Portugal.

I shall by the next Packet send you all the information you wish on the French law for granting patents. I presume you mean to make it the subject of a report to next Session and you shall have it in time.

The rumors that we were preparing for war with England on account of Boundaries and with France respecting our claims have made some little stir here but were not generally credited. I am afraid the Administration will find much trouble from Congress on the subject of our Claims with France should that question come before on the eve of a Presidential election. The discussion of our foreign relations in Congress unless conducted with great prudence may do much harm to our negociations. The opposition eager to find fault with the administration will in their angry controversy furnish arguments to foreign nations which they will not fail to use against us. I am well convinced that France will never recede from the ground she has taken unless she shall by some political events be placed in a situation which will make it

her interest rather to do us justice than to find our weight thrown into the scale against her. A renewed demand for the third or fourth time will meet the same answer and can do no good to our cause.

Count de Menou has been very anxious to be appointed Minister but has not succeeded. I do not know that he sollicited it but I know he had friends who wished it for him. I do not know who will be appointed. Count Krudener the Minister for Russia is expected here soon on his way to Washington. He is represented as a man of excellent talents and amiable manners but unfortunately hearing imperfect.

The winter has been unusually gay and although Lent has commenced yet we have parties about every evening. My health has been very good and we have made this winter a very large circle of acquaintances. I have sent home my accounts for the last year and I pray my good friend Mr Pleasanton to close them for me again to the first of Decr. You know how much I am afraid of being behind in the Government books. If he finds my postage account increased you can account for it. Letters and Packages pass through Paris to Holland Spanish & Russian Legations, and you know that many letters are sent through the Department of State some of which require the payment of postage here. But still he will perhaps find this Legation not more expensive than some others.

Mrs. Brown enjoys her usual good health & joins me in love to Mrs Clay

I am Dear Sir very sincerely

Your friend

JAMES BROWN

Honb. Henry Clay.

Paris April 12, 1827

My dear Sir,

It was my intention to have written you a despatch by this vessel on the subject of which you hear so much through the letters of Mr Everett which pass through this Legation, but when I reflect that the state of things has undergone no essential change since my last, and that the future is invelloped in such obscurity

that the best informed Politicians in Europe are altogether in doubt whether we shall have peace or war I feel some repugnance to giving a grave and official form to Speculations in which I have myself no great confidence and which may be proved by the events of tomorrow to be visionary and unfounded.

The determination announced by the King of Spain to disarm the Portuguese refugees and to restore their equipments was immediately preceded by measures so strongly indicative of meditated hostility that it excited much surprize. Various conjectures are afloat as to the cause of this sudden change of conduct on the part of the Spanish Cabinet. The better opinion would seem to be that it arose from the complete defeat of the rebels and from an apprehension of treachery among the Spanish troops. The friends of the rebels here, assure us that Ferdinand only wished to gain time; and they appear as confident as they have ever been, that he will very shortly unite his force to that of the Insurgents, march into Portugal, and put down the Constitution. They insist that Don Miguel is the Legitimate Sovereign of Portugal and that the day is not far distant when he will pass through Spain to Lisbon and assume the reins of Government. Some importance is given to the allegation by the fact that he has declined the invitation sent to him to visit Rio Janeiro and that the Deputation sent from Brisel [Brazil] to accompany him will shortly bear back his refusal to go. By the latest account from Zamora we learn that about five hundred rebels who had taken refuge in Spain refused to give up their honors arms and accoutrements and that the Commandant had complained to the Government that he wanted means to enforce the order. It is evident that this is a mere pretext and that if circumstances should be favorable Portugal will again be invaded from within the limits of Spain. The English know all this, they see that Spain has fostered the rebellion from its commencement, and yet they have not ventured to strike a single blow. They have been and they continue to be, assured that all the influence of all the continental Sovereigns will be exerted to inspire the councils of Spain with Sentiments of moderation and justice, and they continue to hope that war may be avoided. For my own part I have always believed that the Ministers of this as well as of all the European Monarchies were sincere in their expression of a desire to avoid war; but I have always known that a counteracting influence, more secret, more persevering, and

scarcely less powerful, was at work in every part of Europe, and that the issue of the affairs is exceedingly doubtful. The state of the finances of all the powers, but peculiarly of Spain, and the difficulty there would be, in the event of war, to procure loans are among the best securities for the duration of peace. It is not improbable that the offensive, and boasting speech of Mr Canning, delivered at the time of sending out the troops to Lisbon, followed as it has been, by a wavering and timid policy, and connected with the knowledge of the embarrassments produced by the condition of Ireland, and the diminished fruits of the revenue, may encourage the Continental enemies of Great Britain to force her into a war, which however it might terminate cannot fail to increase her difficulties and diminish her power.

The Committee in the Chamber of Peers is unexpectedly composed of men a majority of whom are opposed to the law to restrict the liberty of the Press, and it is said that they will be unanimous in their refusal. This report will be made next week, and it is said will propose the passage of the Bill with several additional amendments to those already made in the Chamber of Deputies. The certainty that such men as the Duke de Broglie and Counts Bastard and Portalis consent to the passage of the law with the proposed amendments, is considered as a pledge that it will be harmless. It is unfortunate for the standing of the Ministry that it has been proposed, and I sincerely believe that had they anticipated the violent opposition it has met with, it would not have been pressed upon the Legislature.

It is thought that our friend General Lafayette will be presented as a Candidate for a Department in which the Deputy who fills the place is not expected to survive many days. Many of his friends here think that he would consult his own happiness and the best interests of his family in declining the honor, and I unless I confess I am inclined to unite with them in that opinion. He can do no good and may involve himself in unprofitable disputes and enmities. He has passed the winter in Paris and now enjoys very excellent health.

I find you have had a stormy Session and we have every reason to expect that the next will not assume a milder character. I hope the President bears the storm with courage and I am happy to hear that your health has greatly improved.

I have learned that the Packet ship Lewis Captain Macey has been stranded on the Jersey shore on the 8 Ulto. I sent home in that vessel my last years accounts and vouchers and should feel some uneasiness had I not learned that the letter bag had been saved. I hope you have received my dispatches by that vessel and that you will request Mr Pleasanton to close my account to the first of Jany. The very idea of having any thing said about my money matters as a Public servant is painful to me and as my accounts are exceedingly simple so I wish to have them regularly closed at the expiration of every year.

It will give my friends some pleasure to hear that my health ever since my return from the waters of Savoy has been very good, and that I have every reason to hope for an exemption from my troublesome complaint. Mrs. Brown enjoys excellent health and spirits and begs me to remember her to her sister to whom be pleased to present the affectionate regards of Dear Sir

Your friend & faithful Serv't

JAMES BROWN

Honb. Henry Clay
Secretary of State.

Paris May 12, 1827

My dear Sir,

Your letter of the 27 March reached me yesterday and I perceive from it a confirmation of what I had already gathered from the papers, that you had passed through a stormy and rather unprofitable session, and that the opposition had increased, if not in numbers at least in violence. It is but too much to be apprehended that the public mind will continue to be greatly excited until the result of the next Presidential election shall have been proclaimed, and indeed I fear much longer. I had no idea however until I learned the fact from your letter, that party spirit was carried so far as to interrupt the harmony of society and loosen the bands of kindred associations. Col'o Benton has at all former Sessions written me very long and friendly letters, and I have answered them in that spirit of kindness which I really feel for him. I have no answer to my last and although I can hardly believe it, he may possibly have transferred to me a small portion of the disposition he feels to the administration. Now all this is really very unjust, and I may very foolish also, because the next

wind of party or accidental turn of affairs may approximate his opinions to those of the very persons from whom he thus gratuitously withdraws himself, and force him to one of those things which to me are very awkward and embarrassing, a reconciliation with those from whom we have no reason for estranging ourselves. As to G. B— he is in his element when he is engaged in political intrigue and he is not disconcerted by changing friends and systems, half a dozen times in as many years. The next Session will be still more stormy than the last provided the question of who shall fill the second and other offices on the coming in of a new President can be harmoniously disposed of and the race be run by the President and Jackson only. This may a matter of some difficulty but may be arranged by the combined Operations of a Mother Caucus with Branches in the several States. New York so long practiced in this system may furnish information and a model; Pennsylvania has been initiated and then Virginia and the Southern States long as they have boasted of their open and frank manner of conducting Elections and much as they have inveighed against the Caucus system may be modeled by the hand of the great political Juggler of the North. I have had no letters from New Orleans but I have been told that the Jackson interest has increased there since the last election. I regret the loss of a majority in the Senate because I fear it will have an unfavorable influence on our foreign negociations. The Colonial question has been a fortune to the opponents of the administration. Without that their topics of complaint would have few and insignificant. It is hardly probable that the new Ministry in England will relax their policy on that question. Here we have nothing at the moment to expect. Our questions are not of very great magnitude but still they are such as touch the interests of an influential class whose combined clamors may have some weight in a moment of high party excitement. In many of our former negociations when the circumstances of the times favored our claims we succeeded beyond our own expectations. This has created a belief in the strength of our diplomacy which may disappoint those who do not attend to the different circumstances in which Europe and the United States now find themselves.

Mrs. B. has received your letter and will carefully execute her sisters commissions. To do this well, to get the best articles and at the most moderate prices will require some weeks. I am happy Mrs. Clays taste for dress is recovering as it implies an

increase of health and spirits. You may assure her that the sum is large enough to supply her with many handsome things, and her sisters taste is approved even at Paris where they certainly dress in better style than in any other part of the world.

I have been mortified to learn from your letter that Mrs. Price had only received ninety eight dollars out of the three hundred which I requested you to obtain for her annually by your drafts on my nephew John B. Humphreys. Mrs. Price wrote in Sept. to her sister acknowledging the receipt of the ninety eight dollars and stated that Mr Smith was about writing for the ballance of the three hundred which she expected to receive in a short time. If Humphreys has not yet paid I pray you to draw on him for the two hundred and two dollars the ballance for last year and pay to Mrs. Price and her mother the four hundred and fifty which I expended for Mrs. Clay as an increased allowance for the present year commencing in March last. I have further to request my dear Sir, that with all that candor which I know belongs to your character, you will inform me, whether more is wanted to make the existence of these two relatives so dear to me comfortable, because if I know myself I can safely say that I could not spend happy day if I thought they were subjected to any privations or wants which God has given me the means or power to relieve. I am told I have made a pretty large crop last year and although my Nephew by his skill, perseverance, and good management for the last fifteen years has become the proprietor of one third of it yet I have still something to aid any of my relatives, particularly my own and wifes sisters, to spare and it will give me a heartfelt gratification to make that application of it.

We have still a great many Americans at Paris and I hope they are satisfied with the reception we give them. I do not know what report they make of us on returning but I know that if they are not satisfied it is not likely they will find in any one who may be sent to replace me more reasons to be pleased. It is acknowledged by my Colleagues and indeed by all the Parisians who frequent our home that we keep up our rank in our mode of entertaining in House style of furniture and the number of entertainments. My standing at court and with the Kings Ministers is I believe as good as that of any of my Predecessors and if we obtain nothing I have every reason to be assured that our failure arises from no dislike of the negociator. We have some imprudent

friends with whom we must associate but we do all we can to prevent them from committing themselves and their friends. With all the dislike which the persons in power feel for *some persons* who they know equally dislike them, they do me the justice to say that whilst I openly defend my *own* Country and its interests I do not meddle in the intrigues of *this*. I am surprised how some people have got along here without a knowledge of the character of the people, or even of the language. They have left behind them some impressions of a very favorable kind. My Predecessor was generally very highly respected and I think he deserved it. Others with equally good intentions were not as well qualified for the place. I am told he is very anxious to leave England and indeed I am not surprized at it as living is very expensive and society on a very disagreeable footing for one accustomed to the free and easy style of our country.

Mr Hemphill[112] and his brother in law Mr Coleman have been with us for some days and will set out tomorrow for Italy. We were as usual very attentive to him and he appears pleased with Paris. We expect Mrs & Mr Derby (God help us to please them) and Mr & Mrs. Russell,[113] by the first arrivals, who are said to be discreet and easily satisfied. Mr Cooper is here and I am much pleased with him. He goes into good society and enjoys the esteem of all who know him.

The National Guard has been disbanded some of them when under arms at a review in presence of the King cried out à bas les Ministres! à bas les Jesuites!

I presume this letter will find you in Kentucky where you will witness the struggles of the approaching election. I hope you will preserve your sang froid because a calm state of mind is essential to the preservation of your health.

Your friend & Obd't Servant

J.B.

Hon. Henry Clay.

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[112] He probably refers to Joseph Hemphill who was born in Pennsylvania in 1770, and died in Philadelphia, May 29, 1842. He received an academic education; was elected to Congress as a Federalist in 1800; moved to Philadelphia in 1803; was appointed the first President Judge of Philadelphia; served in Congress from 1819 to 1826, when he resigned; was elected as a Jacksonian Democrat in 1828 and served one term; and then served in the state house of representatives from 1831 to 1833.—Appleton, *Cyclopaedia of American Biography*, III, 162.

[113] Jonathan Russell was born in Rhode Island in 1771, and died in Massachusetts, February 19, 1832. He graduated from Brown in 1791; entered politics and business; was minister to Norway and Sweden from 1814 to 1818; was a negotiator of the Treaty of Ghent; was active in politics after his return to the United States; served in Congress from 1821 to 1823; and was a versatile writer.—Appleton, *Cyclopaedia of American Biography*, V, 353.

Paris May 29, 1827

My dear Sir,

I have received your letter of the fifteenth of April in which I was sorry to find that you speak of your health as requiring a journey to Kentucky. I am afraid the labor of your office and the unpleasant state of party feeling much of the acrimony of which seems to be directed at you have an unfavorable influence on your health and I regret to discover that there is little reason to look for a more mild state of the political atmosphere until after the next Presidential election. Until I received a letter from you and from another of my friends I had no idea that the question had excited so much feeling as to have interrupted the usual intercourse of society. I am sorry to find that Benton has thought it necessary to prove his friendship to Jackson by renouncing it for any of his old friends but more especially for you to whom I once thought him sincerely attached. In truth our poor officers badly paid and of short tenure are dearly bought when obtained at the price of interests with those whom we have long cherished and esteemed. I have been anxious to know whether the dispatches I sent by the Lewis which vessel you may remember was lost on the Jersey shore, have arrived and whether like some other letters sent by that opportunity they have been rendered illegible by the sea. My accounts and vouchers for the last year were on board. I hope if they have arrived that Mr Pleasanton has done me the kindness to settle them to the first of this year.

The French have been for some time engaged in preparing some of their large Vessels for sea at Brest and Toulon, and conjectures have been afloat as to their destination The Baron de Damas told me on the 28 that he was afraid he should have soon to inform me that France had quarrelled with the Algerines I have not heard the particulars of the dispute. The prevailing conjecture has been that France was going to carry a force to Haiti in consequence of some difficulty growing out of the Treaty with Boyer. I can hardly believe this conjecture correct and yet if the Algerines are the enemy to be attacked it would seem more easy to employ the Fleet at Toulon. It is hoped however that the increased strength of Algiers and the resistence they made when attacked by Lord Exmouth may suggest the policy of attacking it with an overwhelming force.

Mrs Brown is busy purchasing handsome things for Mrs. Clay and will have an opportunity of sending the Jewelry and small articles by Mrs. Rumpff the daughter of Mr Astor[114] and wife of the Gentleman who goes in August to Washington to make a Commercial treaty with the United States.

I am Dear Sir Truly Yours

J.B.

Hon Henry Clay

Paris June 12, 1827

My dear Sir,

I presume you will have returned from the West about the time when this letter will reach Washington and I hope will have found your health greatly improved by the Journey. My only fear has been that you would be vexed and fatigued by the violence and activity of party spirit in the West amongst the relief men who beaten on the great questions of paper money and stop-laws have mounted the presidential question in hopes of again getting into power by the election of General Jackson. I have some doubts whether these combined interests may not endanger the election in Kentucky and thus with a part of New York which may be carried over by Mr Van Buren turn the scale against Mr Adams.

You promised twelve months ago to give me some fresh instructions relative to French claims. I have never received any since I received the definitive answer of Baron de Damas refusing to treat on the claims apart from the 8 article of the Louisiana treaty. I was apprehensive that the subject would be called up at the last Session of Congress and that it might be added to the other groundless causes of complaint against the administration. It is not easy to perceive how we can treat or which is the same thing yield on the Treaty question and three distinct written refusals to treat in any other way would render a fresh application on the same ground rather humiliating and would certainly, during the existence of the present Ministry be rejected. The claimants will probably endeavor to press their claims at the next Session, and bring on a discussion as injurious to their success as has been that at the last and preceding Session

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[114] He must refer to John Jacob Astor who was born in Germany, July 17, 1763, and died in New York, March 29, 1848. His fortune at the time of his death was $20,000,000.—Appleton, *Cyclopaedia of American Biography*, I, 112.

to questions in contestation with the British Government. The present state of parties is unfavorable to the success of diplomatic questions it being known that whilst treaties are made under the instructions from the President a majority of the Senate is disposed to thwart all his measures. I sincerely wish that the next election may be decided by the popular voice without an appeal to the house of Representatives. Perhaps the state of parties might in that case be less violent than it is now when artful men represent the peoples voice as having been disregarded by their Representatives.

I consider the Greek war as being near its termination. The great powers have intimated to the Porte that he must desist and in case of his proving refractory Naval means will be employed to prevent supplies of men and provisions from being sent into Greece. What disposition it may please the rulers of Europe to make relative to that country whether it is to be a Republic or a Monarchy, and if the latter who is to ascend the throne are questions either undecided or concealed from the public. It seems to be the prevailing opinion that it will be erected into a Monarchy and the eldest son of the Duke of Orleans, the Duke of Chartres is said be the choice of France. He is an intelligent interesting prince of about eighteen years of age, and I should pity him if I saw him mount a throne under such unfavorable appearances, as the present state of Greece presents.

The Legislature here has passed a Session of six months and has done about as much business as was transacted at the last Session of Congress. The law to restrain the liberty of the press was withdrawn to the great joy of the great majority of the Nation, and yet it is not very certain that much has been gained by it except in the transfer of its opposition. It is supposed that Ministers acting under a power conferred by a former law will establish the censorship until the next meeting of the Chambers. The King it is said is greatly opposed to frequent changes in the Ministry believing that to have been one of the causes of the misfortunes of Louis the 16.

As far as I can judge my standing at this Court is as good as I could wish. My conduct is such that I have no prejudices to combat as they relate to me personally. I have professed and practiced a perfect system of neutrality in the party contests

which divide the Country. It is in this way alone that I can have any influence in serving my Government.

It is probable we shall accept an invitation which we look for about the 20 Inst. to go to La Grange in order to be present at the marriage of one of the Generals Grandaughters. My health is nearly as good as it has ever been. We shall remain during the summer in Paris.

Mrs. Brown sends her love to her sister to whom present my affectionate remembrances.

I am Dear Sir very truly Your friend

JAMES BROWN

Hon Henry Clay.

Paris June 28, 1827

My dear Sir

I hope you will find it convenient to return to Washington before the elections commence in Kentucky which I have every reason to fear will be very warm and turbulent this year. You are neither in a condition of life nor a state of health to take the open decided and active share you formerly did in these unpleasant conflicts of popular opinion. The Southern portion of your State bordering on Tennessee will probably be favorable to General Jackson the Counties on the North Side of the river unless Johnstons[115] influence shall preponderate in his District will no doubt vote in favor of the present Administration. The latest accounts I have had from Louisiana induce me to think that it will support Mr Adams if the presence of the General on the 8 of January does not produce a change. From this time until the result is known, the effects of these divisions will be felt at home, and abroad, in your domestic policy, and in your foreign relations. This state of things ought to be remedied but I know not how it can be done. If it continues it will ultimately corrupt our people and destroy our reputation as a nation.

I hope you will be able to preserve your health and with it your temper in all the trying situations in which you will be placed. Your life is of great importance to your family to say nothing about your country, and therefore you ought to feel it

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[115] Francis Johnson of Bowling Green, Kentucky, was a member of Congress from November 13, 1820 to March 3, 1827, and was a supporter of the Adams administration.—*Biographical Directory of Congress*, 1152.

to be your duty to preserve your cheerfulness and equanimity whatever may be the course of affairs. You will have many severe trials and all your good humor and patience will be wanting to enable you to bear them. The real statesman must acquire the habit of letting fools and crooked politicians pass without stepping out of his way to correct or expose them. Their self love if wounded makes them bitter and implacable enemies whereas by letting them pass unnoticed the next popular breath may throw them into your scale. I have had a very great friendship for Benton and thought until lately that he was one of your firmest friends. Floyd[116] too appeared much attached to you and I had considered him as a man exceedingly steady in his friendships. This distance which separates me from my country conceals from my view all the small machinery by which affairs are carrying on at home and only presents to my mind the grand results.

The affairs of the Greeks have been almost desperate for some time. It is now fully certain that the grand powers will interpose in an efficient manner and terminate the disgracefull war. A fleet of Russian French English and as some suppose Swedish and Dutch Vessels will shortly appear in the Mediterranean and separate the Combatants. God grant that the intervention may come in time to save Athens and the remnant of the Greeks from destruction.

Failing to obtain a law to restrain the liberty of the Press Ministers have reenacted the censorship. The National guard has been disbanded some time ago, and the Press is now gagged until the ensuing Sessions of the Chambers. General Lafayette has been elected from the Department of Meaux as a deputy by a majority of only two votes. I am sorry he has again entered on a theatre where he can do no positive good and will be exposed to great obloquy and vexation. He openly calls himself a Republican, and I cannot perceive what business a Republican can have in a Chamber of decided Royalists. On his return I was disposed to believe that he would be contented with the honors he had received in the United States and consider it as the *fifth* and *last act* in his political life. Contrary to all the rules of the

[116] John Floyd was born in Virginia in 1770, and died in the same state, August 16, 1837. He served in Congress, 1817-1829; was governor of Virginia, 1829-1834; was a leading state rights Democrat, and a friend of Madison and Jackson, though he opposed the latter for a second term on account of his stand on nullification; and this stand of Floyd had its influence on South Carolina, which voted for him for President in 1832.—Appleton, *Cyclopaedia of American Biography*, II, 487.

Drama he has determined to exihibit in a *sixth* act and after passing over to the wrong side of seventy years. The hatred held in relation to him in certain quarters may possibly react a little on his *distant* friends but this is a delicate subject and must be passed over lightly. He is about to marry two of his Grandaughters and seems highly pleased with their choices. He has every thing to make private life charming and loving him as I do from my heart, I regret his meddling in public affairs. As soon as the Celebration of the 4 of July is over we expect to be requested to attend the marriage at La Grange, where we shall only remain one or two days.

I have lately collected a list of the Ships which have been subjected to the payment of the discriminating duties in consequence of the indirect voyage and shall in two or three days address a letter to the Minister of Foreign affairs demanding the repayment of the money and a promise to prevent similar abuses in future. The principle is clearly with us and I should have pressed it last summer but I found that the Vessels had sailed from the United States without the necessary proofs of the origin of their cargoes. They have since that time obtained them and although I have some reason to fear that this circumstance will be laid hold of to keep the money yet I shall endeavor to make an argument on the case which with a just government ought in my opinion to be successful. It is strange that our merchants who ought long ago to have known how readily the absence of forms is laid hold of to put a vessel in the wrong should be so very neglectful of the usual formalities. I find the discriminating duties have been demanded on the cargoes of six American Vessels four from New Orleans and one from Charleston laden with Cotton and one from Richmond with Tobacco. In this last case the Tobacco was bought by the Government which buys exclusively *Virginia Tobacco*. And yet they pretend to doubt the *origin* of the Cargo! The fact is that France would renounce the Convention tomorrow if she knew how to get along without it. She finds that we carry four fifths of the produce of both Countries. The more she embarrasses our trade, the more she can restrict our rights under the Convention, the more she imagines she will promote the interest of her own Navigation. This indifference for the Convention arising from her small share in

the carrying trade renders the subject delicate in its management as the people in our Country attach its full value to it.

I informed you officially that a squadron had sailed from Toulon to demand satisfaction from the Dey of Algiers for some alledged insult to the French Consul upon the refusal of which the place was to be declared in a state of Blockade and prizes made of Algerine Vessels. The news received today is, that the reparation asked was that the French flag should be hoisted in Algiers and saluted by a discharge of One hundred Cannon. This the Dey has refused and the Squadron placed itself in a position to blockade the place. As a larger force has been ordered round from the Brest Station it is probable that more vigorous measures will be resorted to in the event of the Deys continuing refractory.

Mrs. Brown will send Mrs. Clay a great many very fashionable things by the Vessel which will sail on the 15 July. Some small articles which are of value will be sent by Mrs. Rumpff formerly Miss Astor who goes with her husband the Minister of the Hanse Towns to make a Commercial treaty at Washington. I shall write by Mr Rumpff who is my friend a most amiable and honorable man and who will sail about the middle of August. I hope the necessary orders respecting his &c & will be at New York on his arrival. You know Mr Astor and Mrs. Clay will be pleased with his daugher who has considerable acquired and natural talent.

My health continues to be as good as it has ever been with the exception of some torpor in the left foot which interferes with the activity of my gait. I shall remain in Paris during the Summer and as our Hotel is large and airy our Court and garden extensive and the City abounds in agreeable public walks I shall pass the time very agreeably. I am often *home* sick but Mrs. Brown is I fear becoming too fond of France. She says she wishes to return in some tranquil times and that she wishes to stay two years longer in Europe. You know I delight in giving her her own way and therefore unless a better Envoy can be found, and indeed that is not a very difficult thing, I may remain here two years more. I hope our Country men who visit Paris go home satisfied with the reception we give them, for I feel conscious that neither my time nor my pecuniary means will permit me to do more for them.

I beg you to present our affectionate regards to Mrs Clay whilst I remain very truly

Your Aff'te friend

JAMES BROWN

Honb. Henry Clay.

We have this moment learned that Athens has fallen The particulars not known.[117]

July 28, 1827

My dear Sir,

Mrs. Brown has sent a large case containing the most bulky of the articles which you requested her to purchase—by the vessel which sailed from Havre on the 15 and addressed to the care of Isaac Bell. I supposed you would have left Washington for Kentucky before they could arrive, and I therefore enclosed Mrs. Brown's letter giving an account of the articles and of their prices under cover to Mr Lee with a request that he would deliver it. His Excellency Mr Rumpff whose intended visit I had some time ago announced to you officially, will sail on the 1st. and he has been so kind as to take charge of a small box containing the residue of what you ordered which he has promised to hand to Mrs. Clay at Washington. You know that Mr Rumpff goes out under the impression that it will be practicable to form with the United States a Commercial Treaty resembling in its features those concluded with Guatamala and Denmark. I have told him that I would not say what might be the disposition of our Government on that subject, but that it might have occured to him that the Hanseatic Towns were not in the same condition with the Country above mentioned having no productions of their own and being the carriers of those of other powers. Ministers have gone from those towns to Mexico, to the Central Republic and to the States of South America with a similar object in view. These small States hope that the policy avowed by Mr Huskisson that of throwing the commercial or navigating advantages into the hands of the weak powers rather than giving them to those whose growth might produce rivalship, will be adopted in the new world. Of all this he will be better able to judge after he has seen you and whether he succeeds or not he will have an op-

[117] Athens fell on June 5, 1827, after a long and arduous siege and extreme heroism on the part of the Greeks.—Fyffe, *op. cit.*, II, 311.

portunity of seeing our country and the family of his lady at New York. I have given him a letter to you and can safely recommend him as a most intelligent polite and amiable man deserving the kind attentions of all who know him.

The Greeks hold out as well as can be expected considering the force against which they have to contend, and their want of money credit and indeed resources of every kind. The French fleet in the Mediterranean is already very powerful and is daily increasing by the arrival of Vessels of War from the Brest station. The English and Russian Squadrons will soon appear there and the combined fleet will be very formidable. In the meantime the Porte seems to discover no disposition to yield to this formidable interposition, but, strong in the *justice* of his cause, and sustained by the principles on which the Holy Alliance was founded, he is preparing to make a most vigorous resistance. It is not easy to foresee the result. This coallition so difficult in its formation, and so indefinite in its ultimate objects may be dissolved by discordant opinions on questions of detail which have not yet been settled. From such Mediators Greece can promise herself neither real Independence nor rational civil liberty. The struggle has awakened some dormant talent, has increased the glory of these hallowed countries, but will for some time procure for their wretched inhabitants no solid advantages.

The winds of the British Eolus[118] seem to subside rapidly, and instead of wafting all Europe safely into the haven of liberty he will suffer Portugal to sink into the calm of despotism. Don Miguel after receiving an Austrian education at the Court of Vienna, will soon appear at Lisbon, and aided by the intrigues of his mother, and the influence of the Priests, will overturn the Constitution of Don Pedro, and drive out the most prominent of its supporters. Spain will be satisfied with nothing short of this, and if contented with this, will be sustained by the Continental powers. England will be too happy to withdraw from the contest, ardently as she seemed to embark in it. The only remaining hope of the Constitutionalists seems to rest on the expected arrival of Don Pedro, who it is thought, may, when apprized of the dangers of his brother, leave Rio Janeiro, and sail for Lisbon. Even in that event it is not certain that things may

[118] Aeolus was the God of the Winds, and it means quick moving, rapid, glancing, changeable, changing.—*Century Dictionary and Cyclopedia*, I, 93.

not have been carried too far in favor of Don Miguel to leave room for the establishment of the constitution. In truth the people are not prepared for the Representative system, and are so lost to all confidence in themselves, that they prefer the Government of a Despot, to the enjoyment of liberty. You may think this a gloomy picture but I sincerely believe that it is not overcharged. I would not be understood as saying that on the arrival of Don Miguel the Constitution will be abruptly overturned, on the contrary it will be nominally preserved but will soon undergo such modifications as will destroy its value.

I wish much to hear from the Western Country, in order to know how it will act in the approaching Presidential contest. If the accounts which reach me from New York be correct, that State will vote for General Jackson. The coallition of Van Buren and Clinton has been unexpected although I think I can account for it. Who will be Vice President? If I was at home ambitious, and popular I would prefer this office to any other under our Government. I thought so before the last election, and I felt pretty confident that Mr Calhoun would prove that my opinion was well founded. The event has not sustained my opinion but has not changed it. His conduct as President of the Senate has either been weak or worse. He has permitted debate to take a range before unknown in that body and the publick has accused him of doing so in order by unfair means to assail the character of the administration. If he had acted impartially and independently, and called into activity those prepossessing manners of which he has the command he might have preserved his friends and increased their number. He has been too eager for premature elevation and has I presume lost much of his popularity. Clinton & Van Buren will both in case of the success of Mr Jackson take the lead of him.

I am Dear Sir very truly

Your friend & Obed't Serv't

Honble Henry Clay. J.B.

Paris August 13, 1827

Dear Sir,

I have had a conversation with the Baron de Damas respecting the discriminating duties demanded last year on vessels which had touched for orders at the port of a third power on their

voyage to France. I have some hope that the principle may be abandoned and that the construction placed on the Treaty of Washington[119] may be adopted here. I sent him a letter insisting that this should take place and urged the return of the duties illegally exacted. I find that the owners of these cargoes have been negligent in complying with the usual formalities having omitted to procure any certificate of origin either from the French Consul or the Collector of the Port. Should the objection therefore of the indirect voyage be overcome, I apprehend we shall have to encounter another arising from the want of proper proofs of the origin of the cargo. It is astonishing that our Merchants who ought to understand the rigor of this Government in taking advantage of the slightest informality on the part of the owners of ships and cargoes should omit documents which are considered essential by every Government.

I shall endeavor to have an interview before the sailing of the next Packet with the Minister of Foreign Affairs and also with the President of the Council. This last gentleman has had his attention more frequently called to our claims and perhaps understands them better than the Baron de Damas. The proposal to submit the question under the Louisiana Treaty to arbitrators (not sovereigns) may startle this Government as being a step beneath its dignity. It will be my plan at our interviews to talk the affair over carefully and feel my way before I write. The treaties made with Denmark[120] and Sweden[121] and Guatamala[122] are known here and perhaps this Government may insist on being placed on the same footing with those and urge that in case of an arbitration this view of the subject may be submitted.

The death of Mr Canning excited a considerable degree of feeling for the first two or three days and had some effect on the stocks. This feeling now rapidly subsides and it now believed that the event will have no material influence on the affairs of Europe or even on those of England. It appears pretty certain

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[119] The treaty of 1822 between the United States and France provided in great detail for the commercial relations between the two countries, but it did not clarify this point.—Hunter Miller, *Treaties and Other International Acts of the United States*, II, 77-90.

[120] In 1826 the United States and Denmark made a reciprocity trade treaty which was beneficial for both countries.—*Ibid.*, II, 239-248.

[121] In 1816 and 1827 the United States and Sweden-Norway made favorable reciprocity trade treaties.—William M. Malloy, *Treaties, Conventions, and Other International Acts of the United States*, II, 1749-1758.

[122] In 1825 the United States and Central American Republics negotiated a reciprocity trade treaty.—*Ibid.*, I, 160-170.

that France has entered into the policy of Austria in relation to the affairs of Portugal. Don Miguel will arrive and be declared Regent in October unless England shall oppose it by force and thus incur the risk of a war with France and Spain and Austria. It is generally believed that England will consent to the Regency of Don Miguel and withdraw her troops from Portugal, France consenting to evacuate simultaneously the Garrisons she occupies in Spain. The Constitution is a subject of minor consideration, but perhaps some stipulation may be made for its preservation until it shall be found convenient to annul it.

The Russian fleet is slowly advancing towards the Mediterranean having arrived in the Downs. The French have already a pretty considerable squadron in that sea sufficient to separate Combattants and spare the further effusion of blood. But the parties to this humane alliance proceed with such deliberation that if the troops of the Porte are active they may before the intervention is felt, exterminate the residue of the wretched Greeks.

I hope when his letter arrives you will have returned from your western tour with reestablished health and spirits. The fatigues of your place are too great for you and you ought to insist on the establishment of a home department. The increased duties of the Secretary of State in consequence of the acknowledgment of the Independence of the former Spanish Colonies make it sufficiently laborious for one man to attend to the foreign Affairs.

I inclose you a letter for Mrs Clay from her sister on the subject of her orders from this Country

I am Dear Sir with sincere regard

Your faithfull & Obed't Servant

JAMES BROWN

Honorable Henry Clay
Secretary of State

Paris August 30, 1827

Dear Sir,

I hope that before this letter can reach Washington you will have returned from your western tour in possession of a sufficient stock of health to enable you to support the fatigues of the next

winters campaign. It will certainly be long, and probably very warm, as the violence of parties may be expected to increase until the Presidential election shall have been made. I greatly fear your journey to Kentucky has been rendered disagreeable to you by the situation of affairs in that agitated quarter.

It is now more than a month since I had an interview and very free conversation with the Baron de Damas on the subject of the discriminating duties demanded at Havre on Vessels which had on their voyage touched for orders at the Port of a third power. I told him that when Mr Villele had sustained that decision of the Director General of the Customs, I had assured him that my Government would not acquiesce under it, but that the French Government had been the first to make a final remonstrance against the principle and I then stated what had passed at Washington between you and the Baron de Mareuil. He said that it was very probable that the French Government had made a mistake in the course taken at Havre. I remarked that the exemption from the discriminating duties was not made, by the Convention of 1822 to depend on the direct or circuitous voyage but on the character of the vessel and its cargo—that if both belonged to the nation the one owned the other produced in that nation, the right to the exemption was perfect. I admitted the right of the two nations respectively to form rules for the prevention of fraud, but I insisted that in doing so care must be taken not to annul, or even narrow, the privileges conferred by the Treaty. That the right of touching at some intermediate point on a voyage was one of great importance to both nations, and where no commercial exchange took place at such intermediate port, could not injure either party. It would prevent vessels from going to bad markets and consequently from making unprofitable voyages. I told him that France would lose more than the United States by putting an end to this practice of touching for information, and I called his attention to the instance of French vessels bound to some port in the Gulph of Mexico. At Havannah it would be easy to ascertain the State of all the markets of the Gulph and direct the Vessel to the one at which the cargo on board would find the most ready and beneficial sale. He did not attempt to oppose any arguments to those I offered. I told him I should address to him a note on that subject which I did soon after. Although nearly a month has elapsed since the date of my note, the answer has not yet arrived. I have demanded the

return of the discriminating duties on five vessels amounting to nearly fifty thousand francs. It is not probable they will continue to insist on the principle, but it is to be apprehended that as our merchants have in these instances sent their vessels without the proper certificates of origin, although that origin cannot be doubted, the French Government may, on that account, refuse to refund the duties. It is very surprising that some of our most experienced Merchants are exceedingly remiss in complying with custom terms—formalities which if insisted on may be seriously injurious to the parties interested.

I have devoted much attention to the instructions you sent me respecting our claims on France. I have prepared a note to the Minister of foreign Affairs but intend in two or three days to have a conference with him before I send it. Either the arbitration will be rejected altogether, or the French will insist on submitting the 8 art generally, or it will insist on submitting all the points in dispute between the two Countries. If the first course is chosen perhaps the United States will improve their ground by having made the offer, but if the second or third mode of submission is preferred, and we decline accepting them will not our situation be made worse by it? Will not the claimants ask why refuse to submit our claims to the decision of arbitrators, who if they are just, will award in our favor and will direct them to be paid whereas if we leave the decision of them to the French Government they will either be constantly postponed or rejected as not being payable by the actual dynasty. If this Government suspects we would refuse to submit the claims they will certainly insist on leaving them also to arbitration. I confess I cannot perceive how we shall gain any thing in public opinion by making only a partial submission of the 8 art and of refusing altogether to submit the claims. These however are only the opinions of an individual whose duty it is to act as he is instructed and to yield up his own opinions to those of more capable persons. I do not believe it was at any one given period since the restoration the intention of the French Government to pay these claims, and the intimations to that effect held out by some of the Ministers, had delay more in view than any other object. They did not wish us to press at the time when they were not sure that they would not be compelled forcibly to resist the claims of the Allied Sovereigns, and they did not desire to see our weight thrown into the same scale. With the exception of some loose obstructions

from one of the most conscientious but certainly not one of the most influential of the Ministers, we have had no encouragement for hope ever since the country has been evacuated by the army of occupation. Indeed I cannot see much use in doing more at present than keeping up *continual* claim and hoping that in some future contingency we might *demand* effectually our rights.

The sensations of joy and of sorrow awakened by the death of Mr. Canning have subsided and it is now pretty certain that no very great event will grow out of the loss of this statesman. Indeed when the friends of liberty review his life and actual sentiments they will be at a loss to discover why he has been looked up to as the friend of civil and religious freedom. On all questions of the last thirty years (the Catholic question excepted) he has steadfastly opposed every thing like liberty in every part of the world. It is that he boasted that he had obtained compensation for the military occupation of Spain by France in the erection of the former Spanish Colonies into independent Republics. But it is equally true that in 1825 he wrote to the Spanish Ambassador at London that the Independence of the Spanish Colonies was neither the act nor wish of the British Government. I cannot believe we have lost a friend in the death of that Minister. Few of those who have as the Representatives of foreign nations had diplomatic relations with him at London speak of him with much respect.

You will perceive from Mr Everetts dispatches that the State of Spain is far from very satisfactory. That of Portugal is still worse, and from both a superficial observer would infer that there was immediate danger of a continental war. I think very differently, and feel confident that the Sovereigns will make great exertions and even heavy sacrifices rather than permit war to break out at this time. England, ever so formidable, is now mild and conciliating in her views and conduct. She perceives that her whole paper system would burst on the firing of a single cannon. In this Country the status quo is very agreeable to the Royal family and employe's and that it cannot be more secure in war than during the existence of peace. If therefore Don Pedro arrives legitimacy will bear down all before it and Don Miguel and the Austrian policy must give way to preserve peace and a *principle.*

If Don Pedro remains where he is, Don Miguel will arrive supported by Austria at the head of the Continental Sovereigns;

and the friends of the Constitution, English troops, English influence and even the Charter itself, will, for the preservation of *order* and *peace* be driven from the Peninsula. Perhaps it would be more correct to say that England to avoid war will *voluntarily* withdraw her troops endeavoring to stipulate as well as she can for the safety of the friends she leaves at Lisbon.

The Russian fleet has reached the Mediterranean. The French squadron is already very strong in that sea. The Blockade of Algiers requires several Vessels and is said to have been so loose that some Algerine Cruisers have escaped and made one or two French vessels prizes the crews fortunately escaping in their boats.

Colo. Delaunay has been here for some days with six Osage Indians four men and two women. He told me intended to exhibit them for money. I have found that it would be a bad Speculation and that it would not afford sufficient funds to enable the party to return to their nation. They have been presented to the King have breakfasted and dined with the Minister of Foreign affairs visited some of the Convents &c.—and the news papers state that they have dined with me in company with the corps diplomatique. I had it is true a Diplomatic dinner on the day mentioned in the Journals but the Osages were not invited. They called on me without ceremony a day or two past and I gave them breakfast with which they appeared well satisfied. Mr Gallatin had a great deal of vexation and trouble in sending home a body of Oneidas who came here with the same object. Would it not be well if our Agents in the Nations were instructed to use their influence to prevent such unworthy speculations? If the interpreter should die there is no one on this of the Atlantic who can explain their wants or convey a knowledge of their sufferings. Colo Delaunay says he has been aid de camp of Gen'l Howard[123] has resided twenty three in the State of Missouri and is a citizen of

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[123] John Edger Howard was born in Baltimore, June 4, 1752, and died there, October 12, 1827. He received an excellent education under tutors; after entering the Revolutionary army he rose rapidly until he was a lieutenant-colonel by 1780; received a medal from Congress for bravery at Cowpens, Guilford Courthouse, Hobkirk's Hill, Eutaw Springs, and other battles; was governor of Maryland from 1789 to 1792; United States Senator, 1796-1803; declined a Cabinet position in 1796; became a major-general in 1798; prepared to take the field in 1814; and was a candidate for the Vice Presidency in 1816.—Appleton, *Cyclopaedia of American Biography*, III, 277.

the United States. Mr. Derbigny[124] of New Orleans recommends him as a very respectable man. He proposes to return by New York and Washington.

Before this letter can reach you Mr Rumpff and his Lady will have arrived. They will soon be followed by Baron de Krudener Russian Minister for the U States who proposes to sail in a few weeks. I have had the pleasure of making his acquaintance and find him intelligent and amiable. It is unfortunate that he hears badly and speaks the English language very imperfectly. He was much esteemed in Switzerland where he has been chargé d'Affaires for the last several years. He goes with strong prepossessions in favor of our Country and I hope he will be pleased with it.

My health has been very good for the last twelve months. Mrs. Brown suffers very much from a pain in her face the cause of which we have been unable to discover. I think it is rheumatic as we always find it increased by exposure. She is however so fond of society, and indeed is so great a favorite, that she is invited every where and seldom notwithstanding all she suffers declines an invitation. I am much obliged to you for your attention to my accounts which Mr Pleasanton[125] writes me have been settled to the end of the last year. I have no wish to fall into the hands of men who are always ready when an account is not settled to cry out *defaulter*.

Mrs. Brown requests me to say to Mrs. Clay that she has sent on all her sister directed and that from the pains she has taken in the selection she hopes qualities and prices will be satisfactory. The account would have been sent by the packet which will sail on the first but the expences of packing and sending to the ship could not be obtained in time. You will have them by the next Packet. I shall present a Copy of your speeches as you

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[124] Derbigny (Pierre Auguste Charles Bourisgay) was born in France and died in New Orleans, October 6, 1829. He left France during the French Revolution; went to Santo Domingo and then to the United States; lived in Pittsburg, Missouri, Florida, and Louisiana; worked for statehood for Louisiana; was interpreter, clerk of the court of common pleas, secretary of the legislative council, member of the lower house of the first Louisiana state legislature, and judge of the state supreme court; and in 1820 he aided Livingston and Moreau Lislet in the revision of the Louisiana laws. In 1820 he received the first license to run a steam ferry across the Mississippi at New Orleans; was a fast friend of Lafayette and his attorney in Louisiana, which position his son took after his death; was governor of Louisiana in 1828 and received Jackson when he visited New Orleans; and during his second year as governor he was accidentally killed in a runaway of his horses.—Appleton, *Cyclopaedia of American Biography*, II, 146.

[125] Stephen Pleasanton of Delaware was at this time fifth auditor of the Treasury at a salary of $3000.—*Register of Officers and Agents of the United States, Civil, Military, and Naval in the United States Service, September 30, 1825*, 13.

request as soon as it shall have been handsomely bound. I thank you for that sent to me.

I am Dear Sir very sincerely

Your friend & Serv't

JAMES BROWN

Hon H Clay
Washington

(private) Paris Sept'r 6, 1827

My dear Sir,

Mr Perkins[126] who has been in Paris for some time called on me and informed me that he had obtained Patents from this Government for the new Steam Engine and Steam Cannon. He represents the former as being of only one fourth of the bulk and weight and consuming only one third of the fuel consumed by the Engines now in use and performing the same work. It seems too that he has contrived to remove all danger from the explosion of his boilers by generating his steam in a great number of tubes or pipes the explosion of one of which would be innoxious while the explosion of more than one at a time would be impossible. I have seen Gentlemen who have assured me that they have seen one of these Engines in operation in London, placed near one of the best Watt & Bolton and employing in pumping water, and that Perkins Machine with one fourth of the weight and bulk and one third of the fuel was equally powerful with that of W & B. His steam musket has been tried in presence of the Duke of Wellington and some French Engineers and has discharged one thousand balls in one minute with a force greater than that given by the best gun powder. His cannon is contrived to discharge one hundred balls in one minute with almost inconceivable force. The French Government has taken a great fancy to him and has I understand engaged him to come over and work for them. He told me *in confidence* that they had proposed to employ

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[126] Jacob Perkins was born in Massachusetts, July 9, 1766, and died in London, England, July 30, 1849. He learned the goldsmith business; invented a method of plating shoebuckles; was employed by Massachusetts to make dies for copper coins; invented a machine for cutting and heading nails; greatly improved the process of engraving banknotes, by using steel instead of copper plates, and he worked at banknote engraving in Boston, New York, and Philadelphia. In 1818 he went to England with some workers and took the contract to supply the Bank of Ireland with plates; had a good business in London; was employed to perfect machines and engines operated by steam power; originated the method of transferring engravings from one steel plate to another, an instrument called bathometer and pleometer; invented a steam gun which would pass balls through eleven boards of the hardest wood, each one inch thick and placed at some distance apart, with a pressure of sixty-five atmospheres, or penetrate steel one-fourth inch in thickness. This was done by screwing to a gun barrel a tube filled with balls which discharged at the rate of almost a thousand per minute.—Appleton, *Cyclopaedia of American Biography*, IV, 729.

him to build a Vessel armed with steam guns carrying cannon to discharge balls of one hundred weight in rapid succession and that he should come over to commence his labors for France in the course of a few weeks. He gave me permission to state this to you in confidence and to assure you that his own Government would not be left unarmed against what he thinks the most formidable arm yet known. He assured me that the Duke of Wellington on witnessing the effect of his Gun declared that hereafter the weakest nation might defend itself against the most powerful. I know Mr Perkins like all other projectors is very sanguine and enthusiastic but I have reason to believe that his gun may be employed with great effect on our batteries and in defending our harbors. I have urged him to send over his models and specifications to obtain a patent in the United States although I am not sure that he can now obtain it after having patented it in England and France. At all events I hope we shall be made acquainted with the discovery so as to avail ourselves of it should it answer his expectations. It is his intention to obtain Patents in Holland and Russia.

I have not time to write to Mr Rush by this opportunity. I have mentioned the subject of looms to Mr Barnet who thinks it will be very difficult to obtain either drawings or models of them as the exportation is strictly prohibited. He will however do all he can to obtain the one or the other.

Mr Warden our former consul here is really a modest excellent man and has on all occasions endeavored to render himself useful to our Country and our countrymen. He is very poor and supports himself by his pen. I wish he could be thought of should any opportunity offer to notice him.

Mrs. Brown suffers very much from a pain in her face with which she has been occasionally afflicted for several years. She sends a letter to her sister, having already sent on all the objects you asked. You have now a delightful house and will be able by cheerfulness and good company to mitigate the horrors of the next winter. The election so far has been conducted in a manner calculated to give pain to every honorable mind. Mr Dunlap tells me that you have become exceedingly sensative and that you have less command of your countenance and feelings than ought to belong to your Nation. He adds that Mr Adams on the contrary

supports the attack with truly philosophical firmness. I presume your bad health may account for this circumstance.

I have not since the month of April received a single line from either of my brothers. Doctor Brown has always hitherto been exceedingly exact in his correspondence and his silence now gives me great anxiety. Do you know where he is? Any news respecting my family will be very gratifying to me. My brother John[127] is now so advanced in life and has had so much trouble and affliction in consequence of the melancholy event of the last years that I cannot expect him to write to me.

Make my best respects to my friend Johnston[128] and tell him that he is indebted to me for several letters since I last heard from him. If you see Mr Skinner who conducts a useful agricultural Journal at Baltimore tell him that the society ought to send out some intelligent young man to remain two or three years in the South of France and apply himself closely to the study of the production of raw silk. The Southern states are ruined if they do not diversify their industry by producing olives silk and wine. The trees ought to be planted immediately or the seeds sown and the nurseries prepared which in four or five years will yield mulberry leaves in abundance. Negro women and children can manage the raising of silk as well as that of cotton and it will be more productive. But this cannot be learned from books. The practice must be acquired by visiting and working at establishments of that kind. So soon as the moth shall produce the silks the Eastern people will discover the art of manufacturing it.

Mrs. Brown begs me before I close this letter to say to Mrs. Clay that she forgot to give her credit for twenty francs which she had retained out of the former account to send on the Caipe.

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[127] John Brown was born in Staunton, Virginia, September 12, 1757, and died in Frankfort, Kentucky, August 29, 1837. He attended Princeton; took part in the Revolution in New York; attended Washington College; taught school and studied law; was admitted to the bar in 1782, and began to practice in Frankfort, Kentucky. He served in the Virginia legislature from Kentucky; was a delegate to the Continental Congress, 1787-1788; served in Congress from March 4, 1789 to November 5, 1792, and was a senator from this date until March 3, 1805; fought the Indians; worked for the admission of Kentucky into the Union; was interested in the navigation of the Mississippi; and was the first member of Congress from the Mississippi Valley and the last survivor of the Continental Congress.—Appleton, *Cyclopaedia of American Biography*, I, 402-403.

[128] Josiah Stoddard Johnston was born in Connecticut, November 24, 1784, and died in Louisiana, May 19, 1833. He was taken to Kentucky in 1788; sent to New Haven to school at the age of twelve; graduated at Transylvania University in 1805; moved to Louisiana where he made rapid progress as an attorney; served in the territorial legislature until 1812; was a district judge from 1812 to 1821; was elected to Congress as a Clay supporter in 1820; sent to the Senate in 1823, and was reelected in 1825 and 1831; was second for Clay in his duel with John Randolph; was a noted scholar, legislator, and lawyer; and was killed in the explosion of the steamboat "Lioness" on Red River.—Appleton, *Cyclopaedia of American Biography*, III, 456.

You will please deduct it from the amount stated in the account now sent you. Present our love to Mrs. Clay

I am Dear Sir

Your friend & faithful serv't

JAMES BROWN

The Hon Henry Clay.

(private and strictly confidential)

Paris Sept'r 13, 1827

My dear Sir,

You will receive by this opportunity a despatch from me by which you will find that the proposed arbitration is in a fair way of experiencing the fate you anticipated. I did myself apprehend that France presuming from the strenuous and persevering manner in which we had refused to connect the treaty questions and claims in the same negociation might have offered to submit them to the same reference in hopes that we would reject that offer. It was my intention at first to have sent a note to the Minister of foreign affairs in which I should have engrafted your Instructions so far as they contain a narrative of the facts and arguments and circumstances of the negociation. I thought however that you had prepared that paper with a view of submitting it in extenso to Congress whenever circumstances might require it and I therefore intend to leave you the credit of an excellent state paper prepared in the first instance to relate its contents in a conference and refer to them generally as you find I have done in the Dispatch which I have sent you. Tell me candidly whether in doing so I have complied with your expectations. It would seem as if France has no wish to leave the ground on which she now stands and I sometimes doubt whether that view taken by Baron de Damas was not always kept in view as one to which she would retreat and obstinately occupy when driven from every other. How long Baron de Damas may delay a definitive answer I am unable to say. The King has gone to St Omers and will not return before the last of this month but I have found ever since his letter of 11 Nov'r 1825 that he had irrevocably made up his mind to adhere to the principle stated in that letter. It is with you to judge what will be done in that event. Your claimants will ask for vigorous measures, perhaps for war or for some thing

that will end in an appeal to hostilities. The first effect of war will as I think be the entire loss of their claims that is if the present state of things in Europe undergoes no change. For it is obvious to every man of reflexion that we are not in a situation to force France to acknowledge our claims after putting her to the expence of a war on account of them. In a maritime war we have as much to lose and more than France as our commerce is now widely spread upon the face of the Ocean and as she may resort to means which have lately been in use in destroying commerce and for which she would find ready instruments in the unprincipled population of other nations. You will reflect that the party spirit now prevailing in Congress may possibly give auxiliaries to the French manner of looking at the subject and that the commercial and agricultural interest may revolt at the idea of increasing the debt and of interrupting the commercial pursuits of our Merchants. It is worthy of consideration whether we ought not to wait for a more favorable state of opinion at home and of circumstances abroad before we advance so far on certain questions as not to be permitted to make an honorable retreat should we be found unwilling to go all the lengths. These hints are made with much diffidence. I have the highest confidence in the prudence of the administration and in the calm good sense of the people.

As to my own standing here I have personally every reason to be satisfied with it. I have however felt a great deal of mortification at my inability to be useful to my country and would cheerfully return if the Government thought that a change in a Minister here could promote the public interests. Mr Adams told me when I had last the pleasure of seeing him that the French Government would give me a great deal of trouble and I believed what he said because I supposed I should soon after my arrival be engaged in an active and perplexing correspondence. I have not been disappointed in the anxiety and vexation but in the course of that anxiety, I have been vexed and mortified that I have never had the field of discussion fairly opened to me, but have been kept aloof from it by the unwillingness of this Government to discuss any thing. I fear Mr Gallatin will not succeed much better in England than I have in France I am told Mrs. Gallatin wishes very much to come to France and Mr. Gallatin to return to the United States.

I was pleased to find in the papers your denial of the charge contained in General Jacksons letter to Beverley. It will be difficult to persuade any reflecting man that you have compromitted yourself by a proposal of that kind to your political enemy & it will puzzle the General to assign a good reason for witholding the accusation when he could have made much use of it if true on the Kremer[129] controversy and when your nomination was before the Senate. Mr Astor writes me that the opinion of New York is rapidly changing in favor of Mr Adams. I hope you will preserve your temper and health throughout the trial which will I believe terminate as you have already predicted.

Mr Mareuil is here and I have heard is not very well pleased with his residence in America. Baron de Damas asked me if I had received instructions from you to make some alterations in the conventions. I told him that I had received a communication of the correspondence of Mr Mareuil and yourself respecting the duties, but that I presumed the Count de Menou had received instructions relative to that subject. He said he had, and that the French Gov't could not continue the Convention unless they could obtain from us Good commercial advantages. He complained of the high duties. I told him that I could consume French wines at a lower price in New York than that at which they sold in Paris and that it would seem extraordinary that when our duties were more satisfactory than the duties for Entering Paris, that any complaints of excessive duties should be heard. He observed that the complaint was more particularly of the duty demanded on Brandy and Silk. I told him that the agricultural portion of our population in consequence of the prohibition on their bread

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[129] George Kremer, a Representative from Pennsylvania, was born in Middletown, Pennsylvania, November 21, 1775; received a limited education, studied law, and was admitted to the bar; was in the state legislature in 1812 and 1815; served in Congress from March 4, 1823 to March 3, 1829; and died September 11, 1854. Kremer's first accusation against Clay was in an unsigned communication to a newspaper when Clay's decision to vote for Adams was first given out. He said that overtures were made by the friends of Adams to friends of Clay offering him the position of Secretary of State if he would aid in the election of Adams, and that the friends of Clay gave this information to the friends of Jackson, hinting that for the same price they would close the deal with Jackson, and that when these overtures were rejected Clay transferred his interests to Adams. Clay was furious over the accusation, but Kremer did not testify before the Congressional committee, and Clay had no way to get even with him. Jackson called Clay the "Judas of the West." In March, 1827, an unsigned letter appeared in the Fayetteville, North Carolina, *Observer*, in which a conversation at the Hermitage was reported. The proposal as here related was that Clay's friends proposed to Jackson's friends that Clay would throw his support to Jackson provided they would assure Clay's friends that Adams would not be continued as Secretary of State. Clay denied all knowledge of it. Carter Beverly of Virginia called on Jackson to verify what was printed in the *Observer*. Jackson said that in a conversation at home he had said he believed it a bargain. He then said that the friends of Clay made the proposal to him. When Clay called for the names of the men Jackson said that it came from James Buchanan of Pennsylvania. Buchanan then published a statement which supported Jackson up to a certain point, but did not go all the way with him, and each side claimed it won.—*Biographical Directory of Congress*, 1194; Frederick Jackson Turner, *Rise of the New West*, 267-268; John Spencer Bassett, *Life of Andrew Jackson*, 390-391.

stuffs were obliged to sell them in the form of spirits and that they wished to increase the consumption of their own spirits by imposing certain duties on those imported from other countries. I observed that an influence of the same kind existed in France by the producers of tobacco was no doubt the cause of the high duties or rather the Monopoly on that article. I told him that the United States had always felt, and still felt disposed, to do all that that was consistant with the interest of their own agriculture, commerce, and revenue, to increase the imports from France and that any propositions having that for their object would receive the deliberate consideration of my Government I hope to hear from you as soon as possible on these points and also respecting the claims if an answer is not pressed upon me before your letter arrives.

Your's truly

Hon. Henry Clay. J.B.

(Private)

Paris Sept'r 29, 1827

My dear Sir,

I have had the pleasure to receive your letter of the 7th of August and feel happy in finding that you have augmented your stock of health by your journey, that you found all your family well and that you see your fireside surrounded by so many of your children. It is in the domestic circle at last and not in the bustle of business, or to the perplexing pursuits of ambition, that real enjoyment is to be found. I hope during the dreadful winter which is fast approaching you will possess at home an efficient antidote against the disgust created by bitter enemies and hypocritical friends abroad. Of these last, you in common with many other problems, have your full share.

General Jacksons conduct has certainly disappointed me. I knew he could never prove his accusation as stated the Beverly letter, but I did really fear, that some of your ardent but indiscreet friends, might have equally compromitted you and themselves. From the manner in which he had mentioned the proposal made to him, I could never have imagined that he would cite one of his own especial friends as his authority, and still less that he would have been so blind as not to perceive that he was deeply implicated in the turpitude of the programe by receiving it so

well, by concealing it so carefully and by speaking so very respectfully of the individual of whom it was made. The manner in which he has retreated from supporting the charge is not in keeping with the frank, manly, and fearless character which I had attributed to him. If party spirit could for a moment slumber, I think the enemies of Mr Adams would now abandon General Jackson, and select another Candidate. Much of the sympathy which had been awakened by the unjudicious attacks made on the General and on his nearest connexion will be allayed by finding him placed in the character of an accuser who has failed in supporting his accusation. As you have at home enough, and indeed too much of this unpleasant subject, I shall leave it on the other side of the Atlantic, and merely tell you that I have read the letter you wrote to General Lafayette and conversed with him on the subject. He stated that he recollected the conversation to which you allude, and with the exception of the precise date, about which he did not seem certain, he could at that time perceive no impropriety in stating what had passed. He asked me if you attached any importance to receiving what he had to state by the Packet which carries this letter, and whether it would do as well by the one which will sail from Havre on the 15 of next month. I told him that I know you wished to receive it as soon as he could conveniently prepare it, and that my Dispatches would leave Paris this morning at 12 oClock. If it comes in time I shall send it to you.

We have as you see by the papers, sent with this, News from Constantinople to the 1st. of Septr. The Porte at that date, persisted in refusing the mediation, and protesting against the interferrence of the three allied powers in the affairs of Greece. The Ambassadors had when the Cinvier left Constantinople embarked their wives on board of Vessels to carry them to their respective destinations. The fleet from Egypt had sailed some days but we have heard nothing of it since. This news has had little or no effect upon the stocks, the opinion being general, that the Porte was not so rash as to risk hostilities with the combined forces in the Mediterranean, threatened as he is by a large Russian army in his vicinity. I do not for my own part believe this affair will end in war. Russia is the only power which seriously wishes such a result. Austria England and France will use all their influence to prevent it, for reasons too obvious to require mentioning. The Greeks will cease to be massacred or governed à la Turc, but will

be disposed of according to the good pleasure of their new masters. Indeed they seem to be about as well prepared for free Government as the Spaniards, the Portuguese, or our good neighbours on the American Continent.

The insurrections in Catalonia had become so formidable as to require vigorous and extraordinary measures to suppress them. The King has resolved to accomplish this in person and will probably accomplish it without striking a blow. He has set out from Madrid with Calomarde and a small escort. He will present himself in the camp of the Insurgents and say my faithful subjects what object have you in view in arming without my orders. Sire, we have assembled in military array to liberate your sacred person from Captivity. My subjects you see that I have travelled from Madrid to Catalonia without troops and without molestation and consequently that I am not now, nor have I ever been a Captive. What other object has assembled my liege subjects? Sire we wish to make you an Absolute King. If my subjects wish me to be Absolute their wishes correspond with my own, and if you can tell me how I can become more absolute than I have already been since the surrender of Cadiz I shall cheerfully comply with your desires. Sire we wish you to exterminate the free masons and constitutionalists and to establish the Inquisition. My subjects must reflect that these detested classes are numerous and very much disturbed over the fate of Spain and that I have done, and am still doing, all I can to destroy them, and you may rest assured of my desire at a convenient season to reestablish the Holy Inquisition. Should some rash apostolick mutter an intimation of conferring the crown on Don Carlos he will be ready to thank them for their kind intentions and assure them that he prefers waiting for the death of his Brother *Whom God preserve for many years.* The Faithful Catalonians will then shout long live our absolute King! and the Holy Inquisition! and the Insurrection will terminate much to the satisfaction of all parties. The leaders will be taken into favor and the lower classes will continue to rob and murder and plunder to gain an honest livelihood.

By the latest accounts from Vienna we learn that Don Miguel would set out in a few days for Lisbon in order to assume the regency. His sister and mother have prepared every thing for his reception. The Constitutionalists who have been encouraged by the enthusiastic speech of Mr Canning to look to England for

support and who have braved the fury of the Queens party will be deserted on all hands and exposed to persecution, exile, and destruction in every form. So much for foreign interference the lamentable effects of which are seen in Spain and Portugal.

The Baron de Krudener Russian Minister to the United States will sail for New York by the same Vessel which carries this letter. He appears to be plain frank, honorable, man, is much esteemed by all who know him, and was greatly in favor in Switzerland where he resided many years as chargé d'Affaires. It is to be regretted that he is very deaf and I fear not very well acquainted with the English language. As far as I can judge he goes on with the wish to please and to be pleased with our Country, and as the friendship of Russia is of much importance to us, I hope you will think it worth cultivating through this very excellent minister.

The Minister of foreign Affairs here either has more business on his hands than any of his Predecessors, or is more tardy in his operations. I have written a letter to him early in August respecting the discriminatory duties demanded at Havre on American Vessels which had touched at the Ports of a third power on their passage to which notwithstanding all my sollicitations I have not yet received an answer. I have found so much delay in answering letters, that I transact all the small business of the Legation by conversations as being much more expeditious. If Mr Villele was at the head of the foreign Affairs business would meet with more dispatch. The Baron de Damas has been educated a soldier and until after the Campaign in Spain had not as I have heard paid much attention to political affairs. Personally I have every thing to satisfy me, but I fear I shall return without being able to render any very important services to my country.

The Manufactures of France are making rapid proficiency as well in their quality as in the reduction of their price. The exposition of objects of domestic industry at the Louvre has been unusually splendid, and has attracted multitudes of strangers from every part of Europe. The silks and woolens surpass every thing of this kind which I have seen in solidity, finish, coloring and taste. Young Hulme is now here. He is much pleased with his opportunities at the Sedan Manufacturing where I was so fortunate as to place him, and will return & remain there until he has acquired a perfect knowledge of the making and finishing

the best of broadcloths. I wish some Virginian Carolinian or Kentuckian would acquaint himself with the French language and reside two or three years in the South of France in order to learn how to cultivate the vine & the olive and to make silk. I have instructed Mr Barnet to use every fair means to procure models of the best silk looms but I fear he will not find it an easy matter to send them out of the Country.

Mrs. Brown has suffered severely during the last two months from a recurrence of the pain in her face with which she has been occasionally affected during the last ten years. She hopes Mrs. Clay will receive all the things in time as they were sent to my obliging friend Mr Isaac Bell of New York, Greenwich Street No 72.

Mr Johnston is still in Paris but not finding his health as good as he could wish talks of passing the winter in Italy. I shall do everything to enable him to pass his time agreeably in Paris which is generally considered as no very difficult matter. Since his arrival the Court has been at St Cloud or rather the King has been absent on a journey to St Omar. If Mr Johnston wishes it I shall present him to Court and I have no doubt of being able to introduce him at some very agreeable houses. His bad health has affected his spirits and I fear the atmosphere of Paris during the winter is not calculated to raise them. I have never liked this climate as much as our own. I have however become more accustomed to it, and since the restoration of my health, I never allow myself to complain.

You will receive by this opportunity a dispatch relative to the Convention of 1822. From the manner in which the Baron de Damas introduced the subject in a Conference relating to the claims I was apprehensive this Government either had given or intended to give notice that it must terminate. In my interview of the 20th I used such language with him as I thought calculated to prevent that event and I hope it will have some effect. It appears probable that France will be contented if you can make some reduction on the Duties on Brandy and perhaps it might be as well to consent to it. I do not believe it would greatly interfere with the producers of domestic Spirits as those who are in the habit of drinking Brandy will not be prevented from doing so by the present duties. We certainly have every advantage in the navigation and will under the convention continue to possess it.

Our revenue can admit perhaps of a small sacrifice to prevent the recurrence of the state of things of 1820-21.

The King has been much pleased and gratified by his tour to St Omar. I think he is more popular in the provinces than in the Capital. The press is under censorship and the people seem to bear it better than I had expected. This will encourage the Chambers at their next Session to pass a pretty strong law restraining the liberty of the press. The people are generally active and prosperous, and the crops of all kinds abundant. The laws are well administered, and the Government upon the whole more mild and just than at any former period. So long as this state of things continues the Country will remain tranquil even should some occasional revolutions of this Charter take place.

As I receive my dispatches regularly, if you have time during the sitting of Congress, I would be much obliged to you if you would inclose me the news papers which you receive from different parts of the Union for which you have no longer any use. Every thing from home amuses us here.

Mrs Brown joins me in love to Mrs. Clay and your family

I am Dear Sir

Your friend

JAMES BROWN

Hon Henry Clay

Paris Oct'r 12, 1827

Dear Sir,

Our latest accounts from Constantinople were down to the 17 Ulto. The families of the Ambassadors of the three allied powers remained on board of Vessels in the Harbor, waiting the result of the negociations. The Porte continued to refuse to admit any mediation and declared that although he would avoid hostilities on his part, yet that in case of their commencing, on the part of the allies he would endeavor to repel them. His tone, if some private accounts may be credited had become moderate on hearing that the Egyptian fleet with four thousand troops had been blockaded in the port of Macri by the allied Squadron. This intelligence however is incorrect for we have learned that the Egyptian fleet had landed at Navarino the army sent to re-inforce

Ibrahim Pasha.[130] It is now feared that on being informed of this event he may again assume a high tone and reject peaceful proposals. We have heard but not from any very authentic source that Admiral Codrington[131] had given notice to the Commander of the Naval forces of Egypt at Navarino that hostilities must cease and had actually blockaded the port. Knowing as the Porte must that two out of the three powers are not very hearty in the cause and that Austria feels a strong leaning in favor of Turkey, it is possible he may temporize and even make some resistance in order to try whether the Jealousy felt by the European sovereigns of the gigantic power of Russia may not dissolve an alliance composed of materials so discordant, and so little formed to act in concert. It is well understood that the Treaty of the 6 July had its origin not so much in motives of humanity as of policy. Russia has long threatened Turkey, and had perhaps just cause of complaint and even of war on account of the disputes which through the influence of the other powers were settled by the Treaty of Ackerman.[132] Whilst these negociations were carrying on little was said or thought of the suffering Greeks. As soon as they had been brought to a conclusion and when England and France & Austria believed that all the complaints of Russia had been silenced, the Emperor declared that he could not quietly permit his co-religionists, the Greeks to be butchered without interposing to save them. The idea then presented itself to England and France, to offer their co-operation in pacificatory measures, provided each of the powers would engage to refrain from aggrandizing itself in consequence of any hostilities to which the projected interference might give rise, and thus it was hoped that the ambitious views of Russia might be counteracted. It was believed on all hands that by assuming a lofty tone with Turkey and sending an imposing fleet into the Mediterranean the pacification of Greece might be effected without striking a blow. It

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[130] Ibrahim Pasha was born in Cavalla, Rumelia, in 1789, and died in Cairo, November 9, 1848. This noted Egyptian general was the son or the adopted son of Mehemet Ali. He subdued the Wahhabees, 1816-1818; was commander against the Greeks, 1824-1827; stormed Acre, May 27, 1832; defeated the Turks at Homs and Konieh in 1833 and at Nisib, June 24, 1839; and succeeded Mehemet Ali as Viceroy of Egypt in 1848.—*Century Dictionary and Cyclopedia*, IX, 523.

[131] Sir Edward Codrington was born April 27, 1770, and died in London, April 28, 1851. This noted English admiral took part in the battle of Trafalgar, October 21, 1805, as commander of the *Orion;* he was with Cochrane in the Chesapeake Bay expedition and at New Orleans in 1814-1815; and was commander of the allied fleet which destroyed the Turkish fleet at Navarino, October 20, 1827.—*Century Dictionary and Cyclopedia*, IX, 264.

[132] The convention of Akkerman was a treaty between Russia and Turkey, October 6, 1826, by which Russia received permission to navigate the Black Sea, and in which Turkey made many concessions concerning Moldavia, Wallachia, and Serbia. The non-fulfillment of it on the part of Turkey led to the Russo-Turkish War of 1828-1829.—*Century Dictionary and Cyclopedia*, IX, 26.

is now evident that England is somewhat alarmed at the course of things and Mr Canning has been severely censured for his policy, which has brought the Country into such a difficulty. It is said that new negociations will be opened at London, in the event of the Portes proving obstinate, to decide on ulterior measures. It is not altogether certain that either England or Russia may not in the end be considered as the dupe in these transactions.

At the last account from Spain the King had arrived at Tarragona and issued a very spirited proclamation commanding the Insurgents to lay down their arms on pain of being punished with death. The rebels had in some quarters dispersed, yet still their numbers were considerable. It is not improbable as the King has determined to consult the High clergy and the superiors of the Convents it may terminate either in reestablishment of the inquisition or in making considerable concessions to the Clergy. Indeed some suspicions are afloat that he will not be sorry with the apparent necessity of satisfying their claims however unreasonable.

The Count de Villa Real late ambassador of Portugal at London has gone to Vienna for the purpose of conducting the Infanta Don Miguel to Lisbon. His mother is now in high favor & has prepared the publick mind for a change in the Government. The Constitution will be abolished and its adherents persecuted. The English troops unless reinforced will all probably be forced to quit the Kingdom.

The King has for the last month been absent on journies first to St Omar and afterwards to Compiegne. He will not fix himself at the Tuilleries until his birth day 4 of Novr. He has been received every where with great demonstrations of joy and appears to be very popular. The Country is prospering from twelve years of peace and ten of abundance not having had a scanty crop since 1817. The Navy increases rapidly in the number and structure of their vessels; and the number and the character of their seamen is considerable to them. Their manufactures are flourishing and their commerce is gradually but steadily extending itself. They are not in a situation to fear any thing from popular commotion or from war with their neighbors.

I fear you will have a bad account to render of our foreign relations in every quarter. Mr Gallatin has left London I believe

without accomplishing the objects of his mission. You know what my prospects are and I find Poinset[133] is tired and disgusted with Mexico. If we are wise we will cultivate peace and increase our resources at home. These will be a source of prosperity as is proved by the present condition of France so enviable when compared with that of England. All my letters represent the state of our internal affairs, as being prosperous. The divided state of our Senate and house of Representatives renders the failures in our diplomacy more embarrassing. These divisions are well known in Europe and have their influence.

The Baron de Krudener leaves Paris this evening to embark on the 15th. I have given him a letter to you. He appears to be a worthy man and goes out with a determination to be pleased with every thing. I am sorry to find that he is very deaf and but imperfectly acquainted with our language. If you can please him it will be worth while to do so as Russia has the most friendly dispositions in regard to us. Their Ambassador here has frequently told me so and his conduct to me has given me confidence in his assertions.

The Baron de Damas has spoken to me again on the subject of the reduction of the duties on Silk and Brandy and observed that a slight concession on that point would satisfy France and give permanence to the Convention. I have not been able to draw from him an answer to my letter respecting the discriminating duties on vessels which touched at Cork and Cowes, although I have asked it at three or four different times.

I have received a letter from Mr. Poinset who is I find disgusted with Mexico and anxious to return to the United States. I am not very sure he would not be better satisfied with a residence at London or Paris. The certainty that we can accomplish little for our Country harrasses the mind and awakens feelings of discontent. I think it probable that I may in a few months ask

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[133] Joel Roberts Poinsett was born in South Carolina, March 2, 1779, and died in that state, December 12, 1851. He was educated in Connecticut and in England; studied medicine at Edinburgh and military science at Woolwich Academy; in 1809 Madison was about to make him quartermaster-general, but when the Secretary of War objected he was sent to South America to inquire into conditions and chances of success in the movements there for independence; and while he was in Chile, on hearing that war had been declared between Spain and the United States, Spanish authorities seized several of our merchant ships, but Poinsett put himself at the head of a band of men and retook them. He was elected to the South Carolina Legislature; served in Congress from 1821 to 1825; was a strong advocate of the independence of South America and of Greece; was sent to Mexico in 1822, and went back there in 1825 as minister, where he remained until 1829; made a treaty of commerce with Mexico; set up Masonic Lodges in Mexico, which were more or less political organizations; opposed the South Carolina nullification movement; was Secretary of War under Van Buren; was opposed to the Mexican War; and was a writer of note.—Appleton, *Cyclopaedia of American Biography*, V, 48-49.

the President to give me permission to return. Of this however you need say nothing at present.

I am Dear Sir

Your aff'te friend & Obed't Servant

JAMES BROWN

Honble Henry Clay.

(Confidential)

Paris Oct'r 13, 1827

My dear Sir,

The state of Mrs. Browns health has for some time been very bad and yet gives me much uneasiness. She has suffered much from an obstinate pain in her face with which she has occasionally afflicted ever since our former journey to Europe. This however painful is by no means alarming and after a confinement of three of four weeks is giving way to remedies. What gives me serious concern is a tumor in her right breast which although giving no pain must if not dispensed lead to dangerous consequences. I have employed two of the most distinguished Physicians who are applying poultices to discert the tumor but as yet with no very apparent benefit. It will be useless to speak of this to her family as it can do no good and as we hope to give you better news by the next opportunity of writing to you. She has been ordered to confine herself to the House and only to receive a few friends with't attending to her toillette. You know her social and hospitable disposition and can easily suppose she is not very patient under this prescription. The idea that her complaint may not yield to the remedies tortures my mind and really almost disqualifies me from thinking on any other subject. Mr. Johnston is here and has become very intimate with Mr Harris formerly of St Petersburg. I took Mr Johnston with me and introduced him to Lord Granville and to the family of the Duke of Orleans[134] and have asked leave to present him to the Royal family. He is an honest fellow but being a *malade ubiquitaire*

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[134] The Duke of Orleans was Louis Philippe who was born in Paris, October 6, 1773, and died at Cleremont, England, August 26, 1850. He was king of France from 1830 until forced out by the February Revolution of 1848. He served in the French Revolution, but became involved and then joined the emigrés; returned to France in 1814 and was restored to his estates; and Lafayette was largely responsible for his elevation to the French throne when Charles X was run out by the July Revolution of 1830.—*Century Dictionary and Cyclopedia*, IX, 624.

and with all a little fastidious is not very easily satisfied with attentions. We find our countrymen generally grateful for attentions and easily satisfied, whilst a few consider their Minister as under obligations to become their Guardian and Guide and are discontented after all that you can do for them. Mr Johnston will leave this for Italy in a few days. Mr H has many acquaintances and will pass the winter in Paris. He is a restless little fellow and somewhat of an intriguer.

I hope your things arrived safely. I sent them to the care of our obliging friend Mr Isaac Bell.

Are you all prepared for the state in which your foreign relations are about to be placed? You know in what mine will probably end by my last dispatch. Would it not be better to delay an explosion until matters were more smooth and harmonious at home? And will they probably be better for some time? I wish you would direct me whether I ought to press and insist on a written answer or let the thing rest knowing what that answer will be if obtained from the present Ministry. If it be what we have a right to expect what next?

I am dear Sir very sincerely

Your friend &

J.B.

Nov'r 13, 1827

My dear Sir (Private)

I have in my dispatch of this day given all the news of the last two weeks and I believe you will find it sufficient to gratify your taste for the novel and the extraordinary and also to give full scope to your ingenuity in prognosticating its influence on the future. The event at Navarino[135] was unexpected here and I believe even there until the commencement of the conflict. It

[135] Ibrahim started to sail from Navarino, but Codrington forced him back where he found orders from Turkey to complete the subjugation of the Morea with the utmost vigor, and he at once set about destroying everything. The British headquarters ordered the evacuation of the Morea and the return of the Turkish and Egyptian fleets to their homes, but the message could not locate Ibrahim. On October 18, 1827, the allied fleet was ordered into the harbor of Navarino with their guns ready, which was done at noon of the 20th. They refused to remove the Turkish fire ship and when a boat crew was sent to cut the cable the crew was received with musket fire. Then the English ship *Dartmouth* and a French ship began to fire and in a very short time all the ships were in the battle. Codrington sent his officer to Moharem Bey to offer terms of peace, but he was received with fire. This made Codrington so furious that the Turkish fleet was soon reduced to drift wood. The Turks had the superiority of 800 guns and for four hours fought bravely. The 20,000 Turkish soldiers could only watch the battle from the hills, in which 4000 of their seamen lost their lives.—Fyffe, *op. cit.*, II, 330-332.

was difficult to admit the belief, that the Turks would stake their fleet on the issue of a battle where the odds were so fearful in strength of vessels and discipline of crews in favor of the assailants. It is doubtful whether the Greeks will be placed in a better situation by the victory. The question will hereafter, in case the Porte remains obstinate, become a very perplexing one for Europe. The first object will be to satisfy Russia without an entire overthrow of the Ottoman Empire. The next will be to secure the existence of peace. If war becomes unavoidable will Greece and the Ottoman Empire become the price of an adjustment and in what proportions will they be parcelled out among the parties? I cannot persuade myself that war will grow out of this I mean a war among the European powers. Fortunate for us we are at a distance from the scene and will long I trust be permitted to increase our resources and see our Country advancing in wealth and grandeur. As it is now well understood that our settled policy is that of not interferring in the affairs of Europe or giving just cause of offense to any nation I hope we shall be favored with the blessings of peace.

I have not had a line from you since the 7th of August at which time you mentioned that Mrs. Clays health had not been so good as formerly. When you write again be so good as to relieve our anxiety on this subject. Mrs. Browns complaint is undergoing a favorable change and I have reason to hope will in the course of a few weeks be removed. It has given me unexpressible uneasiness. I am afraid that with the labors of your office and the feelings produced by the illiberal attacks of your enemies your own health will be impaired. It has excited my surprize to hear that you had become exceedingly sensative to these attacks. I hope you will treat them with contempt. I rather think from what I hear that New York and Pennsylvania will vote in favor of General Jackson in which event the election will be very doubtful. At this distance however we know but very little of what is passing with you except from the Newspapers Editors or from travellers both of whom give us rather an expression of their own wishes than of the publick opinion. Mr. Gallatin wrote me from Liverpool and is now probably arrived. He was by no means pleased with his residence in England, and must be happy in returning to America. I am afraid that the state of foreign relations is not such as will give the President

any advantages at the ensuing election. Our South American neighbours are not likely to do us much credit. Mr Poinset writes me that he is disgusted with the state of affairs in Mexico. The movements of Bolivar are by no means satisfactory. These Republicks are now filled with Agents who are not friendly to the forms of Government which they have adopted. This nation will in all probability obtain a considerable influence now that they have agents in those Republicks. General Lafayette and his son are both Candidates for the Chamber of Deputies. The former is very confident that he will be elected. It is supposed that the opposition will compose about a fourth of the next Chamber. This opposition will be made up of about two thirds of Ultra Royalists and one third liberals. If the General studied his own happiness he would retire from the unavailing contest.

I hope you have received the articles sent by Mr Rumpff and also the Lustres which went out in another Vessel. If you want any thing which can be had at Paris we shall feel too happy in purchasing it for you.

You have no doubt received a Letter from General Lafayette containing a statement of his conversation with you shortly before the election. He read me a copy of it and I hope you will find it satisfactory. Europe has already been proved to establish your measure if the people would appeal to their reason instead of their passions. As it is you can make little impression on a large portion of them.

I have heard that an arrangement has been made between the Governments of France and the United States directing that the mail for Havre shall be sealed at New York and opened by the post master at Havre. If you send your dispatches in that way I shall feel some apprehensions that they might run some risque. At all events the postage here will be enormous as so many letters are put up with the papers I receive. The postage on packages is very high. I have hitherto had no reason to complain of the manner in which I have received my dispatches and News papers. Will you be so obliging as to state to me what is the present arrangement?

I informed you some time ago that a Mr Delaunay who says that he has been naturalized in Missouri as an American citizen had brought out six Savages of the Osage tribe to be exhibited

for money in Paris. As Mr Delaunay has presented no American passport at this Legation, and as I disapproved the speculation I received him very cooly telling him at once that I was sorry that he had engaged in it. You may have seen in the papers that these Indians were received by the King and had breakfasted and dined with the Minister of foreign Affairs. This account I have been told is correct. But you have seen also what is absolutely false that they had dined with me in company with the Diplomatic Corps. It is true that the ambassadors and ministers dined with me on the day mentioned in the newspapers but the Osages were neither invited nor present. They came with Mr Delaunay once in the morning and I gave them a breakfast without inviting any company to meet them. Mr Delaunay is now confined in St Pelagie for an old debt and I apprehend these miserable savages will be exposed to want as they cannot speak a word of any language except their own. In case of their being left in this situation what ought I to do? It will cost nearly one thousand dollars to reconvey them to America and I have no authority to advance it for them. Our agents ought to use their influence to prevent these delusions.

I am Dear Sir very truly

Your friend & Obed't Servant

JAMES BROWN

Hon Henry Clay

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29 Nov'r 1827

My dear Sir

We have just received news from Constantinople by the way of the Augsburg Gazettes which has rather alarmed those who had been tranquilized by the dispatches of the French ambassador to which I have alluded in my letter. These accounts which are dated two days later mention that the Porte had manifested the deepest resentments on hearing of the destruction of his fleet and told the Ambassadors that he regretted he had ever listened to them, and that he was perfectly willing they should leave his court. It is added that he had resolved in the course of a few days to hoist the standard of the prophet and order all good Mussulmen to arm in defense of his cause. It is said that great consternation was visible among the Franks and that the Russian Ambassador had already left Constantinople. I saw Mr. de Villele

and the Baron de Damas yesterday who stated that the accounts from Augsburg were exagerated and that on the 7th. things remained on as quiet a footing as *could be expected.* The stocks rose yesterday. It is hoped that Austria will have sufficient influence to persuade the Porte to accede to the demands of the Allies should he refuse to do so the case is one of the most embarrassing that can be imagined. If they destroy the Ottoman Empire the difficulty will be to divide the spoils. Russia and Austria might possibly make a division satisfactory to them and England might content herself with the Islands but where is France to receive her portion? It is evident that the affair has taken a turn which was not in the contemplation of any of the parties.

The Ministry is much mortified at the result of the Elections which will not give them, even should they obtain all the votes which are yet uncertain, a sufficient majority to support their measures. The weight of publick displeasure is to fall on Mr de Villele who seems to have become more obnoxious to the opposition than any of his Colleagues. By the next opportunity you may expect to know whether we shall have a new Ministry. You know enough to enable you to say whether or not we shall have cause to regret it. Mr de Villele has been the most strenuous opponent of our Claims.

I am very anxious to discover how the next Congression Campaign will open. Sergeants[136] Election proves a change in Philadelphia. New York I fear will be carried away by the combined efforts of Van Buren and Clinton. Louisiana will vote for Mr Adams, at least I am told so by those I have seen from that State.

It gives me pleasure to say that Mrs. Browns health about which I felt some alarm improves daily. She is however now confined as she has been for two months to the House but hopes in a few weeks to dress and go out. We have had much agreable social Company at home. She is much beloved by the Ladies of the Diplomatic Corps who call every day to see her.

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[136] John Sergeant was born in Pennsylvania, December 5, 1779; graduated at Princeton in 1795; studied law and was admitted to the bar in 1799, and practiced his profession for fifty years in Philadelphia. He became deputy attorney general for Philadelphia in 1800, and commissioner for bankruptcy for Pennsylvania in 1801; served in the state legislature from 1808 to 1810; was in Congress from October 10, 1815 to March 3, 1823; became president of the Pennsylvania board of canal commissioners in 1825; envoy to the Panama Congress in 1826; served in Congress from March 4, 1827 to March 3, 1829, having been defeated for reelection in 1828; ran for Vice President on the National Republican ticket in 1832; was president of the Pennsylvania constitutional convention of 1838; served in Congress from March 24, 1837 to September 15, 1841, when he resigned; declined an appointment as minister to England in 1841; and died in Philadelphia on November 23, 1852.—*Biographical Directory of Congress*, 1508.

Our old friend Gen'l Smith must be greatly disappointed in the Maryland elections. He seemed to think they would all be for Jackson.

Give my best salutations to Mrs Clay & believe me Dear Sir

Your friend

J. B.

Hon Henry Clay.

Paris Dec'r 13, 1827

My dear Sir,

I have received your letter of the 28th. of Oct which came by the New York Packet of the 15 Novr. It has removed a great deal of the anxiety we had felt on account of your health, an anxiety increased by finding that so soon after your return to Washington you had left it for the Virginia Springs. I am glad to find that you are able to attend to the arduous and perplexing duties of your Office and that you have made up your mind not to repine at the abuse which the Presses are throwing on you and indeed on every man of character or standing in the nation. I am sorry that Mrs. Clays health is impaired but hope the winter will restore it. Mrs. Brown has made no visits for the last three months and I have felt the most dreadful apprehensions on her account. She is now visibly improving and will I trust in a few weeks be again restored to the gay world of which she is so fond and where she is a general favorite.

You will perceive by my dispatch of this date and by the newspapers that we have great reason to expect a change of Ministry. The people have pronounced loudly a sentence of banishment on those now in power and although I esteem some of them and particularly the one with whom I have the most to do as respectable individuals and have every reason *personally* to be grateful for the politeness with which they have conducted themselves in their relations with me yet I am not sure that my Country will have any reason to regret any change which can happen. Since Mr de Villele has been in place our claims have had in him an active opponent and I have no reason to hope that his opinions in relation to them are likely to undergo a favorable change. I thank you for the hints you gave me as to the manner of executing my instructions and shall follow them. It was never my intention to have closed the negociation here before I had

obtained a written answer. You may judge by the delay which has taken place in obtaining answers even on comparatively unimportant subjects how long it may be before I finish this matter with the Government. When Mr de Mareuil applied to you to refund the duties on the vessels coming from St Pierries you returned a favorable answer in three days. On the 1st Sept'r I made a similar application to the Baron de Damas, and although I have urged him as well in conversation as by letters to give me an answer I have not yet been able to extract any thing more from him than promises that I shall soon hear from him. This is vexatious and it requires all the efforts I can command to keep me from expressing myself perhaps too strongly on the subject.

You must have been greatly disappointed at the result of the elections in New York. It is to be hoped that the western counties will be more favorable to Mr Adams. Still I presume that the general ticket system will be resorted to and that the state will give its entire vote to General Jackson. I have already informed you that General Lafayette had sent the certificate you asked. I saw him last night and he assured me it had been sent. I hope it will be satisfactory. Virginia and Pennsylvania seem to change but have I apprehend delayed their efforts too long to leave a hope of giving Mr Adams a majority. When I think of the active spirits at work in the State of Kentucky I greatly doubt whether Jackson will not have the majority in that State also. Great changes however may take place ever where in the course of twelve months.

I delayed my letter to the last moment in the hope that we might receive dispatches from Constantinople. The question of peace or war is very doubtful. Sovereigns who meant to fright but not to fight the Turks have in turn been frightened at finding themselves unexpectedly in an actual war whilst engaged in negociation. You will find in the papers various reports such as that the Ambassadors have left Constantinople, that the Russians have crossed the Pruth &c. none of which can be relied on. We must wait a few days longer and all doubts will vanish.

Ferdinand is as usual playing the fool or the madman at Barcelona into which place he made his triumphant entry a few days ago amidst a silent and dissatisfied population. Some hundreds it is rumored of the malcontents have been hanged executed or shot. It is thought another insurrection will be got up in the

course of a few months. Don Miguel has not yet arrived. Great preparations are making for his amusement as well here as in England.

I send with this a letter for Col'o Drayton on business of importance to one of his constituents which I wish him to receive immediately.

My love to Mrs. Clay

Your friend & Obed't Serv

JAMES BROWN

Hon. Henry Clay.

(personal)

Paris Dec'r 29, 1827

My dear Sir

In my dispatch of this day you will perceive that I have presented the course you indicated in your last. I find the Baron de Damas fixed in his opposition to any measure which would lead to an adjustment of our claims. It is now almost certain that we shall have a change of Ministry but you need not from that infer any change of measures so far as we are concerned. These people have other uses for their money than that of paying their claims which they can shuffle off by denying, and besides they think that they have already made indemnities enough without paying us. They say that we have upon the whole been gainers by that trade during the time of the depredations of which we complain that the claims are practically owned by Insurance Companies who having increased the premiums with the risk who had done a profitable business all the time and had little to complain of. In a word no party here seems destined to feel for us or to advocate our claims. If they are ever obtained it must be when such a state of things shall arise as will make our friendship of more value than the amount of the indemnity.

We hear that Admiral de Rigny[137] has destroyed the Greek fleet at Scio. The pretext was that having accepted the mediation the Greeks were continuing to act in a hostile manner against the Turks, *not certain.* By some it is believed that this act has been committed with the design of propitiating the Porte and

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[137] Admiral de Rigny was the French commander in the Mediterranean and at Navarino. —Fyffe, *op. cit.*, II, 329.

preventing war. I do not think it will have that effect. Our accounts from Constantinople are to the 2nd Inst. It was expected the Ambassadors would leave it on the following day. The Russians are said to be ready to cross the Pruth. No one seems to know what may follow. It is my belief that neither France England nor Austria will make war to prevent the Russians from attacking Constantinople.

Your New York Election has disappointed us here. Will not that State pass a Law for voting by a general ticket and will not her vote decide the fate of the election? Is it hardly probable that Jackson will loose Virginia and Pennsylvania although some changes appear to be going on in both.

Mrs. Browns health still gives me some concern. She has been prevented from going into large parties for nearly two months. If she was not more attached to France than myself I should ask leave to return next summer. It is an irksome affair to advocate hopeless claims, and I dislike being useless.

Our Osages have gone to Brusselles where Hughes has given them a *grand* reception. You will see a printed account of the *ceremony* with his and their speeches. I wish he may get rid of them without having to advance their expences to their own country. I was glad to see them leave Paris. It was a wretched speculation and will involve those who have embarked in it.

Who will be sent to England? Our affairs there certainly require some one to take charge of them. I am afraid they are becoming more difficult and complicated.

Why is it that we have no treaty with Brasil?[138] The Russians have conclued one! I hope Poinset has got over his troubles at Mexico. It is now several months since the date of my last letter from him.

The Infant Don Miguel after remaining a few days in Paris proceeded on Wednesday by boat to London. He is a handsome prince and resembles the family of Bonaparte.

I think we have nearly silenced the slanders which were circulated respecting your vote at the last Presidential election. The certificate sent you by General Lafayette must have reached you

[138] The treaty of commerce and navigation between the United States and Brazil was not concluded until December 12, 1828, and was not ratified and proclaimed in force until March 18, 1829.—Malloy, *op. cit.*, 133-143.

long ago. He read me a copy of it which appeared to be all you could wish to establish the fact that you had long before the election expressed your determination not to vote for General Jackson.

It is rumored that all the Ministers have tendered their resignations to the King who is deliberating whether he will accept them, or insist on some of them particularly Mr de Villele remaining in place. If this last determination is adopted the next Session will probably be about as stormy as the one you are now holding at Washington. The Ministry is not very much at its ease in England. It is thought by many persons here that it will not last long after the meeting of Parliament.

Make my respects to Mrs. Clay and receive assurances of my affection and esteem

JAMES BROWN

Hon. Henry Clay

Paris February 28, 1828

My dear Sir,

You will recall that some months ago I expressed to you in a private letter my willingness to leave my present situation provided it could be followed by some person whose appointment would better suit the views of the President. The kind answer I received to that letter might have induced me to remain another year in Europe had not the long indisposition of Mrs. Brown and her anxious desire to see her relatives and friends induced me to take a different resolution. My private affairs also which have necessarily been neglected during my long absence from home require immediate attention. I have therefore by a letter which will go by the Packet of the 1st. March requested you to ask that the President will be pleased to give me permission to leave France on the 15 of September next. The day I have named is a period as late as would permit me to hope for a safe and comfortable passage and to reach the American Coast before the winter commences. I shall at that time be able to embark on board one of the largest and most commodious Packets in the line commanded by a polite and practised Seaman. As it is not my intention to again return to Europe the President can decide whether it will be most eligible to appoint a Successor

who shall arrive in France either before or soon after I may sail for the United States, or to name some person to be left in charge of the duties of the Legation. It is probable that with all the delay we experience in obtaining answers on propositions having in view the adjustment of our claims I may obtain an answer to my proposal of an Arbitration and have time should it be accepted to sign a convention for that purpose. Should it be rejected any efforts to take up our claims on a different basis may as well be made by a new Minister as by me. I earnestly entreat you to obtain for me the Presidents determination in order that I may make the necessary preparations for my voyage. I have already suffered so much by one winter voyage in coming to France that I am unwilling to undertake another at that season.

I hope the President will not experience any embarrassment in consequence of the necessity imposed on me of returning to the United States. I know that much has been said respecting the two missions to England and said I believe without any other motive than that of injuring Mr Adams election. My stay however has been longer than that of many other Ministers who have preceded me and certainly long enough to spend with all the economy I could use the *full* amount of Salary and outfit. Perhaps in the present state of European affairs it will be well always to have a Minister at this Court. It is here that every important passing in Europe is known at the earliest period, and if I mistake not the signs of the times great events are in preparation on this Continent. The threads of them will be far removed from us at first but may be brought near by subsequent events.

Having mentioned the state of Mrs. Brown's health as one of my reasons for wishing to resign my charge, it may be necessary with you to be more particular on that subject. As long ago as last July she discovered a tumor on her right breast which gave her no alarm but which in a few weeks assumed such an appearance that I thought it necessary to take the advice of the ablest physicians. They immediately prescribed a strict regimen with other remedies and recommended that she should not go to parties which would require any alteration in her dress. She has now for six months been confined at home and although some diminution of the size of the tumor is perceptable, yet much time must elapse, and great care must be taken before it can be removed. In

the meantime she has constant fears that it may so far increase as to prevent her from returning to her friends and country and therefore she is unwilling to prolong her stay in France. Her situation here added to her social and hospitable disposition render it impossible that she can enjoy quiet and repose both of which are so necessary to the reestablishment of her health. My own health is not as good as it has been during the last eighteen months. I have given you these statements in *confidence* because I know that if particulars were known to her mother and sisters they would immediately imagine the worst and suffer the greatest anxiety—but her mothers advanced age and after all the afflictions she has survived we must not give so severe a shock to her happiness.

The turn which the affairs in the East have taken has been as unforseen as it is embarrassing to England and France. These powers under the impression that Turkey would yield without a struggle and that Russia might in that case be baffled in her ambitious projects have by the Treaty of the 6 July[139] tied themselves to the Emperors car and must either follow him in the conquest of the Turks or violate their Treaty stipulations and risque a general war on the Continent. The Russians are delighted with the present state of things and their troops are rapidly accumulating on the frontier. The Turks are animated by the same hostile spirit and are hastening to meet them. I can hardly think it possible that war can be avoided. This war would be exceedingly unpopular in England and not much less unpopular in France. In both countries peace is desirable, and in both the precarious standing of Ministers and the want of confidence in their talents renders war a cause of the greatest alarm. Russia alone finds every thing favorable to her projects and may now consider herself as having obtained the consent of the great powers to carry them into effect.

Mr Sheldons health is a little improved but is still very delicate. He is exceedingly emaciated, has frequent fevers, and really only lives because he has more self command than any

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[139] The French people and the liberals in Parliament were for aiding Greece, but the majority in Parliament hesitated. The protocol of St. Petersburg, between England and Russia, formed the basis of the treaty signed in London by England, France and Russia, in July, 1827. These nations agreed to force Turkey and Greece to proclaim an armistice and to provide for mediation by which Greece was to be made autonomous under the Sultan; Moslems in Greece to be removed with Greece paying for their property; each of the three parties pledged itself not to increase its territories; and if Turkey would not accept the terms within one month, then the allies would announce to the belligerents what steps they would take next.—Fyffe, *op. cit.*, II, 324.

person I have ever known. I need not tell you how much I regret all this because he is really a man of information and talents united to much prudence and sterling integrity.

If the Count de la Ferronnays should agree to the basis of an arbitration, I think he will wish to have the question under the Louisiana Treaty stated as badly as was done by Mr Hyde de Neuville in his correspondence with Mr Adams—that is to say that France ought always to have the same privileges *gratuitously* for her vessels in Louis'a as are enjoyed by other nations in consequence of such nations having given the United States an equivalent. In case of his insisting on such a submission I wish to know what answer I ought to give to the proposal. Mr de Neuville is now in favor with a majority of the Chamber and will probably be consulted on this question by the Minister of Foreign Affairs.

Should the leave to return be granted and the situation of Mrs. Brown's health be so bad as to forbid her to embark this fall, I shall probably travel to Nice or some part of Italy where she may be tranquil and enjoy a fine climate. I have not had a line from you since the opening of the Session. I have however heard from some of my friends that your health had considerably improved. I have seen your statement in relation to the slanders circulated against you. To those who judged impartially it was not necessary. It appears conclusive. But will party spirit ever reason.

Will you be so good as to send a small package to Madam Mentelle by some private and safe conveyance. It is a work of pottery which may be of use to her husband.

Mrs. Brown joins me in affectionate remembrances to Mrs. Clay who is I hope having pleasant winter

I am Dear Sir very sincerely

Your friend & Obd't Serv't

JAMES BROWN

Hon. Henry Clay

Paris February 29, 1828

My dear Sir,

I wrote you yesterday under considerable depression of spirits arising from the state of Mrs. Browns health, and fear

that my letter may have expressed my fears and awakened your apprehensions too strongly. Her case although a deep cause of uneasiness is more from what we *fear* than from what she *feels.* Her complaint has never given her any pain and the tumor on her breast is less extensive and softer than it was some weeks ago. Her Physicians who have just seen her, give her strong hopes that by care, repose, confinement to the house, and the use of proper remedies, it can be dispensed never to return. She has great firmness and generally good Spirits. Never had any person more reason to know how much she is loved and esteemed by, as well our Countrymen now in Paris, as by the European friends she has made since her arrival. Every evening she receives fifteen or twenty persons who call to converse with her, and express their hopes that she will soon be able to join in the gay parties of the season. She has lost much of her flesh by confining herself to a low diet, but preserves her general health and appetite and rides out every day for exercise. Had I not read too much on the subject of diseases of the breast it is probable my mind would have been less affected by her situation. Fortunately she perseveres in hoping that she will ultimately recover but is too anxious, from the apprehension that she neglects her countrymen, not being able to assemble parties at home for their amusement. My letter asking for leave of absence has been written principally on account of her fears of an increase of her complaint and her apprehension that she may innocently give offense to our fellow citizens here by not extending to them the attentions they have been accustomed to receive from her. We have both every reason to be pleased with our standing here as well at Court & with the diplomatic corps as with the Society of Paris generally. I have given you this particular statement to allay any alarm which my letter of yesterday might have occasioned either to you or to any other of our numerous friends. You shall hear from me by every opportunity and be fully informed of the progress of this unfortunate case. We have the advantage here of the best medical advice and of a tolerably good climate. I shall consult fully and candidly the celebrated Doctor Dupuytren and write you his opinion by the ship which will sail on the 15th. His reputation is of the highest order and his advice will either dispel or confirm my fears. You who know how great is my attachment to her and how nobly she merits it by the possession of every grace and every virtue which can fix the human heart will

judge of my sollicitude respecting her and my willingness to sacrifice ambition and every other possession where her health or happiness are at stake. Mr. Sheldon appears to waste away gradually without any suffering. He eats, digests and sleeps well, and yet is wasting away with a slow and constant fever. I really feel for him for he is intelligent safe and honorable. His prudence and self command are such that I have great hopes the warm weather will restore him to his usual health which has never been robust.

For the last two months our travellers have nearly all been Jacksonians and consequently have led all Paris to believe that the election of their favorite was secure. Our papers from Washington which ought to have arrived by the New York Packet of the 15 were not placed on board at New York and have only been received this day with those down to the 25 Inst which came by the Packet of the 1st Inst. I had a letter from my friend J. S. Johnson which represents Mr Adams as gaining very rapidly in Virginia Pennsylvania and North Carolina. Kentucky I think is safe. Time will do much for Mr Adams. His conduct in office has been irreproachable. The passions of the people have been excited by intolerable clamor and misrepresentation. They will e're long cool down and with the return of good temper we shall have a return to reason and justice. Preserve my dear friend your temper and with it your health and all will soon be well with you. I am afraid my excellent sensative sister has had her feelings severely tried but I am sure she has not been found wanting. Give my love to her and assure yourself of the esteem regard and affection of Dear Sir

Your faithful friend

JAMES BROWN

Honb. Henry Clay.

Paris March 12, 1828

My dear Sir,

You will perceive by the dispatch which you will receive with this letter that changes are still going on in the Ministry, and that the administration which has been very unsettled every since the dissolution of the late Chambers is yet fixed upon no solid or permanent foundation. It is said the King only changed the

Villele administration from a belief that it could not obtain a majority in the Chambers, and that the address censuring their conduct met with his disapprobation. Indeed it has been reported I know not with what truth, that he at first talked of declining receiving it, upon which the new Ministers intimated that should he take that step they would immediately tender their resignations. It has been the contention of some of the members of the two chambers to prepare and present articles of impeachment against Mr de Villele but I rather think this design will be abandoned. The new elections which are ordered in consequence of the elections of several members to more than one Department will it is believed strengthen the liberal party who have offered candidates for each of them. The Constitution which was in some danger seems now to be secure and reflecting men consider themselves more confirmed in their rights than they have hitherto been. Mr de Neuville had entered the Hotel of the Marine and had appointed the last Tuesday for his first reception. A melancholly accident however, compelled him to postpone it. Immediately before her proposed change of residence Madame de Neuville entered the house of one of her neighbors to take leave but in returning down stairs fell through a trap door which unfortunately was open into the cellar and fractured her thigh and received contorsions in several parts of her body. You will easily believe how much we all sympathize in the suffering of this excellent lady. It is said that circumstances inspire a hope of her recovery.

Mrs. Brown's health is greatly improved since the date of my last letter, and we have hope that although some months may elapse before the cause of her complaint entirely disappears yet that it may be attended with no serious consequences. We have had an unusually mild winter and an early spring. I had felt some uneasiness at not hearing from New Orleans for some time but was, a day or two ago, relieved by a letter from my nephew who gives me the most satisfactory accounts of the place and informs me that we have made this year five hundred thousand weight of the very finest sugar, and a large quantity of molasses. A considerable quantity of the first had been sold at six and a half cents. My crop of the preceding year was the same in quantity and sold at that price. My good fortune so far as a planter is perhaps without a parallel and my planting for the next year promises an increase of revenue. I am very sorry that you had

not purchased when you visited New Orleans and commenced a similar establishment. I hope the leave I asked to return to America will not occasion any embarrassment to the government but that it may be made useful to the Presidential election. It is unfortunate that Virginia had not sooner endeavored to stir up the friends of Mr Adams. The address of Chapman Johnston[140] displays much tallant and cannot fail to produce considerable effect. Mr. Cheves does not seem to have done much for General Jackson in the vicinity of Lancaster if I may judge from the result of the late elections in that quarter. Your vindication is conclusive if men would reason but those who have assailed you without proof will endeavor to destroy you because they have wantonly and wickedly wounded you. Examples of this kind are to be found in every country. Time will do justice to your motives and character.

Although Mr de Neuville has formerly been unfriendly to our claims yet knowing his ambition to become a Minister and the probability that he might succeed, and having always found him friendly to me, I have when he was in disgrace at Court always received and heard him as an old acquaintance. I have some hope that he will relax in his opposition to us more especially as he has always professed a great affection for our Country and its institutions and has often alluded to them in the chamber of deputies in terms of high approbation. From Mr de Villele I easily perceived that we had nothing to hope. It is possible this Government may object to submitting the question under the treaty without submitting our claims also. I am by no means very sanguine in my hopes that they will do any thing. Perhaps the affairs in the East may end in a war in which event they may consider it their interest to make us their friends. It would seem now that if the Porte persists the combined powers will overrun and then divide Greece and Turkey. The distribution of the spoils will be a point of some difficulty, but by means of one or two Congresses of sovereigns, that may be satisfactorily arranged. A report was circulated at the Exchange yesterday that the Russians had crossed the Pruth and a small decline on the stock market followed it.

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[140] Chapman Johnson was born in Virginia, March 12, 1779, and died in Richmond, July 12, 1849. He graduated from William and Mary, studied law and became an eminent lawyer and orator. He was captain of a volunteer company in the War of 1812, and later aide to General James Breckinridge. He was in the state senate from 1815 to 1831; served in the Virginia constitutional convention of 1829-1830; and in 1824 moved to Richmond so as better to care for his great law practice which had become one of the most extensive in the state.—Appleton, *Cyclopaedia of American Biography*, III, 441.

Great as Mrs. Browns wish is to see her friends and to live quiet she yet feels that she will not have in America, Physicians to consult in whom she will have a great confidence with the distinguished Surgeons and Physicians who now attend her. Although she has not joined in evening parties abroad as yet such is the attachment of her friends to her that even all this season of gayety and dissippation she never passes an evening without social visits, from the most affectionate and agreeable society. Her courage never forsakes her and her general health is good.

I have not received a letter from you since October. Where will you spend the summer and at what time will you leave Washington? I have been delighted to learn from some of my correspondents that your health is better than formerly. Mr Johnston writes me that you have had a pleasant society during the winter. I hope Mrs. Clay is pleased with her fine house. It gave me great pain to hear that Mrs. Adams health had declined. Her brother is at Rouen and I believe passes his time very agreeably. Mr Adams has the satisfaction of finding that his most bitter enemies can find nothing to blame in his administration since their unjust censures on the Panama mission and the conduct of the Colonial question.

Give my love with that of Mrs. B. to Mrs. Clay and receive renewed assurances of the constant regard of Dear Sir

Your faithful & Obed servant

JAMES BROWN

Hon Henry Clay.

P S Will you be so obliging as to request Mr Pleasanton to examine my last years accounts as soon as convenient and write me if he finds them correct. Mr Sheldons health declined so rapidly that it became absolutely necessary that he should change the air. He has gone for a few weeks to Marsailles and as he has been on two former occasions restored by a short excursion I hope he will now regain his usual strength. He has engaged a son of Mr Barnet our Consul to act in his place during his absence. I could find no other American now in Paris sufficiently well acquainted with the French language to answer the purpose. He is consul at Antwerp but the duties are performed by a Vice Consul.

J. B.

March 13

The Budget was presented yesterday and excited much surprise and disatisfaction. You will find it in the number of the Constitutional which I now enclose. The news which that paper contains respecting the East is generally credited. The French troops will in a few days embark for Greece. I was told last evening that the King on being informed that his late Ministers were censured in the address of the Chamber of Deputies intimated an intention of dissolving the Chamber and placing other Ministers at the head of Affairs, but was dissuaded from it. He did not agree to receive the Committee appointed to present the address until five oClock in the afternoon. Our ship which sailed on the 1st Ulto. has not yet arrived. I wish the Newspapers for Mr Hughes and Mr Middleton could be sent to them without coming by the way of Paris. Those of the former after a short delay can be sent by American travellers going to Brussels but I have no means of forwarding Mr Middletons except occasionally by a Russian Courier, and the Documents and Newspapers are so voluminous that I can hardly ask the Ambassador to charge himself with them.

J. B.

Paris March 28, 1828

My dear Sir,

Matters in the East remain in the same state as at the date of my last letter. At the last accounts the Porte still remained inflexible and continued his persecutions of the Armenian Catholics, and the prohibitions to pass the Dardanelles. Russian preparations for the war were going on with great activity, and little doubt appears to exist that the Pruth will be crossed before the 12 of April. The papers state that the French troops which had marched to Marsailles to embark for Greece at Toulon have received orders by Telegraph to delay their embarkation and that the transports which had been chartered for the purpose of conveying them had been discharged after receiving indemnity. It is thought that England has been unwilling to go any further in this affair and wishes to leave Russia solely to contend with the Porte relying on the Emperors promise to abstain from all plans of agrandizement. We learn from the papers that the difficulties which have existed between France and Algiers will

be speedily adjusted. You will through the British papers receive such full accounts of the extraordinary state of things in Portugal that I need say nothing to you on that subject. It seems now pretty certain that what I have long predicted will happen the Infante will be declared absolute King and the Charter and British influence will be expelled from the Peninsula.

It gives me great pleasure to inform you that Mrs. Brown's complaint which has given me much uneasiness has, thanks to her excellent Physicians, began to assume a milder aspect and we now confidently hope will in a short time disappear. When I say a short time I mean to say a few months because it cannot be expected that an enlargement of a gland so considerable and of such standing can be speedily removed. I have gotten over the winter without any return of Rheumatism and begin to hope that I shall be exempted from it during my life. If therefore my request for leave to return shall be calculated in any way to embarrass the Government, I will if the President wishes it remain until spring when the season will be more propitious for the voyage. I find in the motion for retrenchment so much declamation about the expences of Ministers and particularly about those who do not remain long enough to expend their *outfits* that I shall be willing to remain more than five years from home, in which time I think it probable that the whole of the sum may be expended and that the good people of Mr Chiltons District may be convinced that I have not pocketed a single shilling of the publick money. I am happy in the belief that the enquiry if directed to my account would have found it moderate and I only trembled for the fifteen hundred francs laid out in preparing my carriage for the coronation. If so much has been said about twenty or thirty dollars worth of Embroidery on our coats what might not be said about a coronation carriage. The affair would have assumed a still *darker* aspect had I rendered my account of expences for the late Kings funeral where I expended about fifteen hundred francs in covering my carriage and servants with mourning. I suppressed this and wishing only to exhibit the bright side of matters charged the publick with decorating my carriage.

I wish you would send the Newspapers and dispatches to Denmark Stockholm and St Petersburg by sea rather than through this Legation. We have no Couriers and very rarely find any Americans travelling as far to the North. They are so very

voluminous that Ministers sending Couriers in that Direction do not wish to take charge of them. The Russian Ambassador has hitherto been so obliging as to take charge of the Newspapers for Mr Middleton.

It is now six months since I had the pleasure of a line from you. I am happy to find that your vindication has produced a great change in the publick opinion. You have certainly experienced a degree of persecution without a precedent. What business can the Kentucky Legislature have with the matter?[141] Do you pass the next summer in that State.

Mrs. B. sends her love to her sister to whom please make my affectionate respects.

I am Dear Sir

Your friend & faithful servant

JAMES BROWN

Mr Sheldon writes me from Marsailles that his health is very bad I hope the sea air will restore him.

Paris April 12, 1828

Dear Sir,

Mr John Connell with whom you are acquainted, on his return from Copenhagen, has remained a few days in this place and will take charge of this letter with the Newspapers for the Department of State. From these you will discover that Russian preparations for war are going on with great activity, and that the Porte is preparing his defences by strengthening his line on the Danube, and by adding to the fortifications of the Dardanelles. The troops of Russia will cross the Pruth on the 15th, and before the end of this month, the Emperor will take the command in person of the invading army. The war will be very popular in Russia, and even in Poland, the troops manifest the greatest enthusiasm in the cause. Events have been such as to place the Emperor on the ground of right, and to insure the neutrality of England, and France. Indeed the co-operation of these powers may be claimed and expected to the extent necessary to secure

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[141] He refers to the contest or investigation in the Kentucky senate, in which General Thomas Metcalfe, John T. Johnson, Richard M. Johnson, and others were involved. It developed from a conversation on the election of 1824-1825, the report made, and the testimony given by John T. Johnson before the Kentucky senate regarding the conversation.—Clay Papers, Library of Congress. Filed under date of February 25, 1828.

the objects of the Treaty of the 5th. of July, or in other words to effect the liberation of Greece. It is believed that the British Government has already given to the Russian Ambassador at London, assurances that it would not take part in favor of the Porte, in a war provoked by his obstinacy and rashness. Preparations are still going on for the embarkation of about 6000 men at Toulon, but their destination is not known. By some it is believed to be intended for Algieres, by others to take post in some of the Grecian Islands. The insignificance of the force would seem to contradict the first of these conjectures. It is not believed that the war will become general, and consequently the British as well as French funded stock has experienced little or no depression.

The Chambers, although in Session for more than two months, have not passed a single law of any importance. The Ministry has felt its precarious situation, and has taken no very decided measures. It seems to wait until it can find out the majority on which it can lean for support. The remains of the Villele party are still active and violent, and endeavor to alarm the King and Nobility by announcing that the Country is on the eve of a Revolution. A few days ago the electors of one of the Districts in Paris assembled to make a choice of a Candidate, and chose their President and Secretary. This meeting was immediately denounced as illegal, and as leading to the revival of Jacobin Clubs. The Prefect of Police has reproved it, and intimated that similar Assemblies, if held in Publick Houses, would hereafter be dispersed by the armed force, but intimating at the same time that they might lawfully be held in private dwellings. The new elections will generally be favorable to the Constitutional party.

I hope that when I next write to you I shall have something to communicate on the subject of our claims. Indeed I should before this have pressed for an answer had not Mr de Neuville entered the Ministry. I have been anxious, as I know he will be consulted, and indeed have an overwhelming influence on the question, to find some means of disposing him to view our claims with more favor than he has hitherto done. Since his appointment I am more discouraged than ever as to the result of our proposal to arbitrate the question, as I know he has hitherto resented every argument in favor of our claims. He takes a deep

interest in the Beaumarchais claims, and is I believe intimate with the family of M'am de la Rue. She can now entertain no hope of recovering it unless connected with the admission of our claims. Perhaps this circumstance may have some weight in our favor. The present Minister of Foreign Affairs, with whom I have taken particular pains to become acquainted, appears to be a frank, honorable and intelligent man, and if left to act alone, would in my opinion be more disposed to do us justice than his predecessor. But he knows nothing of our claims, and to save himself the trouble of examining them carefully, will perhaps be disposed to submit the question to his Colleague who has already borne a part in the discussion of them. As we have every reason to consider the proposition last made as the only one short of coercive measures, I wish to give it every chance of success.

Mr Sheldon is still at Marsailles from thence he writes that his health is not improved. I hope he exaggerates the danger, but certainly his situation is rather alarming. I am encouraged however by the recollection, that he has left us twice in nearly the same situation, and by remaining a few weeks on the sea side, returned in good health. I should deeply regret his loss. He is an honorable, safe, and well informed man. A son of our Consul Mr Barnet who is himself Consul at Antwerp has consented to remain a few weeks and attend to Mr Sheldons duties. So few of our young Americans have a competent knowledge of the French to be of any use to us in that situation, that I was glad that Mr Sheldon was able to borrow Mr Barnet for a short time.

Mrs. Brown health has rather improved since the date of my last letter. She continues to receive her friends every evening and sometimes has small dinner parties. Her spirits are wonderfully good considering her long confinement at home. She rides out in the morning for exercise but never goes into parties abroad. Her medical attendants are distinguished by their talents, and are sanguine in their hopes, that with time and perseverance, her complaint may be removed. It is an encouraging circumstance, that the tumor has never increased since she perceived it, but has on the contrary, diminished although in a very inconsiderable degree. It has given me inexpressible anxiety.

I find from the latest accounts that Mr Adams prospects of a reelection are improving. It is to be regretted that the effort

in his favor by your Virginia friends had been so long delayed. I fear the Jackson influence has become so rooted that you cannot eradicate it. The same may be said of Pennsylvania. If you can secure 24 votes in New York the election will be safe without those two states. If General Jackson be elected the next four years, if we may judge by the temper of his friends at the present Session, will be unusually stormy & violent. How does the *extravagant* Committee of Mr Chilton[142] go on in the detection of abuses? Who is the said Mr Chilton? I think the party must have lost ground by this discussion. They have spent more money in the time consumed in the debate than would have reimbursed Mr John Kings[143] outfit, the only abuse specified in the course of the argument.

I hope soon to hear from you a pleasure I have not had since Oct.

I am Dear Sir very sincerely

Your faithful friend & Obed't Servant

JAMES BROWN

Hon Henry Clay.

(Confidential)

Paris May 10, 1828

My dear Sir,

In my last letter I informed you of Mr Sheldons death and mentioned that I had engaged the eldest son of Mr Barnet to write for the Legation until the President shall have appointed a secretary. I have no doubt but that the field for selection will be extensive and as the office is one of some importance at this court I hope the President will take full time to examine into

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[142] Thomas Chilton was born in Kentucky, July 30, 1798; attended common school, studied law, and was admitted to the bar; served in Congress, December 22, 1827-March 3, 1831, and March 4, 1833-March 3, 1835; and moved to Alabama where he practiced law. He became pastor of a church in Hopkinsville, Kentucky; was president of Alabama State convention, 1841, and then general agent for the Alabama Baptist convention; was pastor in various places in Alabama; moved to Houston, Texas, in 1851, where he became the pastor of the Baptist Church; and died in Montgomery, Texas, August 15, 1854.—*Biographical Directory of Congress*, 807.

[143] John Alsop King was born in New York, January 3, 1788, and died in Jamaica, New York, July 7, 1867. He was in school at Harrow, England, and then in Paris, and in New York; became a lawyer and then a farmer; was elected to the state legislature in 1819 and served for several years, and then was elected to the state senate. He was secretary to the legation in London when his father was minister there; due to the failure of the health of his father, Rufus King, he returned to the United States, but the son, John A., remained there as chargé until the new minister arrived. He returned to New York, was elected to the legislature, and then entered Congress in 1848; opposed the Compromise of 1850; was a strong leader in the early years of the Republican party; became governor of New York in 1856; was interested in internal improvements; and was a member of the Peace Commission of 1861.—Appleton, *Cyclopaedia of American Biography*, III, 543-544.

the qualifications of the several Candidates in order to make the best selection. Mr Barnet is capable of doing all I wish until a successor to Mr Sheldon shall arrive even should the choice be postponed until the ensuing spring provided the President should express his wish that I should remain at this Court until that time. I would greatly prefer were it necessary to devote some of my time to supertending the duties of the secretary to having an Individual in that place who might not possess the qualifications to fill it or whose temper and manners might render his intercourse unpleasant or unsafe. You will perceive that I have declined giving any recommendations because I was persuaded that the President would have many applications for the office and consequently from his long experience in diplomatic affairs and his knowledge of men could make a better choice than any which it was in my power to recommend. Mr Adams who goes by the Packet ship which carries this letter told me it was his intention to offer himself as a candidate. My acquaintance with him is exceedingly slight and I can only say that he appears rather *raw* in his knowledge of the world. It is possible, though I know nothing about it, that Mr Ray the brother in Law of Mr John King may also be a candidate. He has but a very superficial acquaintance with the French language and does not appear to me to possess any habits of business. If I may judge from the Journals the favor shown to that family has not been of much service to the administration. The son of Mr Barnet has never been in the United States and although a very good young man is not likely to enter successfully into competition with persons of superior claims from their knowledge of the interests and policy of their own Country. These are the only persons who have been spoken of here and who may perhaps be mentioned to the President. These suggestions are made in *strict confidence.* As it is possible that in consequence of my request to return in September the President may have made arrangements to fill my place before he received my communication announcing the visible and unexpected improvement of Mrs. Brown's health and my willingness if he wished it, to remain longer at this Court, I have determined to abstain from the expression of an opinion in favor of any individual who may apply for the office.

I have received letters from home which have made me very easy on the score of my private affairs. My crop of last year

has equalled that of the preceding, amounting to 500,000 pounds of sugar and 24,000 gallons of molasses, a part of the former was sold for six and a half dollars per hundred weight and the whole of the latter at 22 Cents per gallon. I owe no debts that I know of unless some should grow out of that fruitful mine of litigation and loss to me my old land claims in Kentucky. Bodly and his friend Pogue have found me so profitable to them that I am always apprehensive they may succeed in some new attempt to make something out of me.

It gives me sincere pleasure to learn that your health continues good in spite of your laborious life and of the unparralelled attacks which have been made upon your character. Keep up your spirits and your temper and you will unquestionably find a generous and redeeming reaction. It is impossible that the American people can long be the dupes of the scandalous artifices which have been employed to undermine the political standing of Mr Adams and yourself. Good God! can the American people know so little of character as to permit themselves to be persuaded that Mr Adams, whose whole life has been one of unostentatious republican simplicity, is a proud arrogant aristocrat, whilst his competitor, who travels with the retinue of the Chieftain of a Scotish Clan, is made to pass for a plain modest and exemplary Democrat? I have felt every disposition to look at all this with indifference because I have unfeigned confidence in the wisdom of the people, but I find myself moved from my tranquil mood when I see such exaggerations in the columns of the opposition papers. The publick mind is gradually becoming enlightened, but the opposition had made such strides in Virginia, Pennsylvania, and New York, before it was met, that the result yet appears very doubtful. It must have been very gratifying to the administration to find that with all the desire to discover faults in it the opposition so totally failed of success.

Mrs. Brown's health is gradually improving, and with every appearance of a favorable termination, a load of care and anxiety is removed from my heart. Her courage and patience are the theme of general praise, as her entire recovery will be a source of delight to her numerous friends at home and abroad. I can say to you without reserve that no lady in Paris has made more friends or filled with more grace and dignity the difficult station in which she has been placed. I say difficult, because it is no

has equalled that of the preceding, amounting to 500,000 pounds of sugar and 24,000 gallons of molasses, a part of the former was sold for six and a half dollars per hundred weight and the whole of the latter at 22 Cents per gallon. I owe no debts that I know of unless some should grow out of that fruitful mine of litigation and loss to me my old land claims in Kentucky. Bodly and his friend Pogue have found me so profitable to them that I am always apprehensive they may succeed in some new attempt to make something out of me.

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succession had given a shock to the sensative nerves of our Economists. Mr Lawrence appears to be an attentive young man and has given me a proof of his vigilance in expressing some apprehensions that the Squadron fitting out at Toulon was destined for the conquest of Mexico in the interest of the Spanish Government, and with the view of obtaining payment of the money due from Spain to France. I have every reason to think that no such design is entertained, because the expense of the expedition would amount to more than the sum due—the success of it would be doubtful—England and the United States would frown on it, and lastly the temper of the nation at this moment is not such as would view with complacency conquests of Representative Governments for the benefit of absolute Monarchies. The doubtful state of affairs in the East, requires that Spain should hold herself in a state of preparation for war, and complete her Military armaments. The doctrines of the Portuguese and Spanish Governments, which have always been unpopular with this nation, are now equally so with the majority of the Chamber of Deputies. Besides, the commercial relations with the New Republics are daily extending and affording additional motives for holding only peaceful relations with them. In England they have become so conscious of the weight of their debt and the embarrassments into which a war would plunge them, that they see it in every movement of their great rival. Here I have never heard it hinted that the Toulon fleet was destined for the New World except so much of it as may be necessary to protect their commerce in that quarter.

I have this moment received a note from Mr Barton[144] son of the late Doct Barton[145] of Phila. in which he states his intention to apply for Mr Sheldons place in case of my not having made any recommendation. I answered him that I had not. He of course will be on the list of Candidates. My acquaintance

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[144] Thomas Pennant Barton, the son of Benjamin Smith Barton, was born in Philadelphia in 1803, and died there on April 5, 1869. In 1833 he married Cora, the daughter of Edward Livingston, and the same year he was appointed secretary of the legation in Paris. He was a man of considerable literary taste; gathered a Shakespearean library of great value; and had 2000 rare volumes and 10 000 miscellaneous books, making one of the most valuable private collections in America. This wonderful collection of books is now under the Boston Public Library.—Appleton, *Cyclopaedia of American Biography*, I, 188.

[145] Benjamin Smith Barton was born in Lancaster, Pennsylvania, February 10, 1766, and died in Philadelphia, December 19, 1815. He studied medicine in Philadelphia College, and from 1786 to 1788 studied medicine in Edinburgh, London, and Germany. He taught in Philadelphia College, 1789-1815, taking Dr. Rush's place there in 1813. He belonged to many learned societies and was a writer of note.—Appleton, *Cyclopaedia of American Biography*, I, 188.

with him is very slight. He left Paris soon after I arrived. You will not want for Candidates. Every body thinks himself qualified, and as the Secretary hopes to reside in the family of the Minister and consequently to be at but little expence the office is considered as one of the best in the gift of the Governm't. I have requested you to say what allowance I shall make to Mr Barnet as he has consented to be satisfied with the decision of the President on that head. Young Barton is well educated, polite, and speaks French like a native of Paris. I only doubt his steadiness attention and habits of business. These are essential in a Secretary of Legation.

If the place which has become vacant shall be as much coveted in the United States as seems to be here you will be overwhelmed with Candidates. I have just received a long letter from Mr Shobel in which he urges me to recommend him although he is a worthy man and very capable of business generally yet I shall answer him as I have done to others that I do not intend to recommend any candidate to the President who ought when he examines the pretensions of each to chuse the best who presents himself.

Mr Fleming sent me out a Bill in Chancery. in which I have even made a Draft and requested an answer. As none of the French authorities will administer an oath I sent it back to Mr Fleming and requested that he would obtain an order of writ authorizing the consul to receive my oath. I have not since that time heard from him.

Mrs. Brown joins me in affe'e greetings to all the family.

Your affe'e friend & Obd't Servant

JAMES BROWN

Hon. H. Clay.

P.S. I sent my account to the Dep't down to 1st. of January last. Will you request Mr Pleasanton to close it to that day— 1828 I inclose you the Emperors proclamation which has arrived

Paris May 30, 1828

D'r Sir,

The invasion of Turkey by the Russian forces[146] which has been so long expected has actually taken place. The Russian troops passed the Pruth on the evening of the 5 Inst. and accounts dated on the 10 inform us that they had taken possession of Gallatz, Jassy, and Bucharest without meeting any resistance. Their march will be pursued to Constantinople unless a degree of resistance on the part of the Porte much stronger than any which existing preparations would lead us to expect, should be encountered, or unless by submitting to any conditions which Russia may dictate he shall avert the blow. On the 30 Ulto. the utmost apathy prevailed at the Turkish Capital, and indeed it is said, that instead of rigorous preparations for defense, complaints were publickly uttered against the policy which had brought the Empire into its present critical condition. The Emperor, accompanied by the Empress, and Grand Duke Michael, left St Petersburg on the 7th to place himself at the head of the invading army which, it is said, will consist of two hundred thousand men and sixteen hundred pieces of artillery. By an unforseen and truly combination of fortunate events, the Emperor has been placed in a situation highly favorable to the accomplishment of his plan of aggrandizement. He has now a right to

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[146] Turkey blamed Russia for persuading other nations to assist Greece, and her laws forbade the people of Islam to permit any injury to be done to their religion, and her people thought it a sacred duty to fight Russia because she had backed the revolt in Greece. She levied troops and expelled most of the Christians from Constantinople. Mahmud's proclamation for the Mohammedans or Mussulmen to arm in all parts of the world reads more like the words of some frantic dervish. The people in St. Petersburg were enthusiastic for the war, which was declared on April 26, 1828. Russia agreed with France and England to confine it to the Black Sea and the mainland and to sit as one of the neutrals by the treaty of London on the Mediterranean Sea. Turkey did not have a chance. Her fleet was destroyed at Navarino; her Janissaries had been disbanded; her new army was not yet fully organized; and her resources had been exhausted by the war with Greece. Scanty numbers, failing supplies, and widespread sickness in the Russian army in 1828 greatly assisted Turkey. Russia had been planning on the war for seven years, but she had only 70,000 troops. Nicholas' headstrong interference in camp made things worse; Paskiewitsch was sent to Asia Minor where he did good work; Turkish troops would not fight in the open; and Austria tried to organize a coalition against Russia, all of which hindered her. The Russians pushed down upon the strongly fortified passes of Ibraila, Silistria, Varna, Shumla and others. The posts in Dobrudscha soon capitulated one by one. The Turkish troops were concentrated under Omer Brionis and Russia could not take it, and when they tried to take Varna, Omer broke out on September 24 and went to the relief of Varna. The Emperor then ordered Prince Eugene of Wurtemburg to attack Omer in the open, but the Russians were defeated. Turkey might have won, but Omer's delay led to the fall of Varna on October 10. Although Russia had suffered heavily she still held Shumla and Silistria when she withdrew to prepare for the next year's campaign. Metternich again tried to organize a coalition against Russia, but France refused. Wittgenstein was removed from command, the Tsar withdrew from the army, and Diebitsch, a Prussian, was put in command. Turkey had the advantage, but due to poor leadership they were defeated by the Russians and the forts fell one by one. Resistance collapsed everywhere, the mountains were passed, and on August 29, 1829, the enemy reached Adrianople. The fleet now helped on the coast; the army started for Constantinople; the Russians, although few, made it appear that they were numerous; Turkey was willing to surrender; and Russia was glad to make her good terms. The Treaty of Adrianople gave Russia slight increases in territory, certain rights in some Turkish territory, rights on the Black Sea and the Dardanelles, and Constantinople was to be open to all nations at peace with Turkey. Moldavia and Wallachia were given greater freedom under Turkish suzerainty, and Greece was made free.—Fyffe, *op. cit.*, II, 335-343.

require, not merely that France and England shall abstain from assisting the Porte, but also that they shall effectually cooperate with Russia in obtaining the objects of the Treaty of the 6th. of July. Austria finding herself too feeble to interpose, makes a merit of necessity, and affects to place the most unbounded confidence in the just and moderate policy of the Russian Emperor. Prussia has declared that she will maintain a neutral position, so that Russia and Turkey will be the only belligerents except in so far as the influence of England and France in favor of the Greeks may lead to hostilities. It being pretty generally admitted that Russia will extend her territory by this war, and that no European power will interpose for the present to prevent it, France and England are preparing to profit from the state of things which may grow out of this great event. In both countries means are adopted to give to their Marine a more formidable attitude, and measures are in train here to increase their standing army. Additional ships of war with a few thousand men have been sent by both nations to the Morea, the blockade has been rendered more strict; and it is now reputed that it has been extended to Alexandria, all attempts to detach the Viceroy from the Porte having been unsuccessful. The prospects of Greece appear to brighten under the able direction of the Count Capo d'Istria[147] and there is now some reason to hope that order and regular government will prevail in that unhappy country so long subjected to the double scourge of War and intestine factions.

The new Ministers have pursued a cautious course and have as far as circumstances would permit proposed popular measures. It is still however doubtful whether they will be able to sustain themselves in power. The majority is composed of men who have united rather from hatred to Mr de Villele than on account of their agreement on any particular system of policy, or attachment to the present Ministry. It is already ascertained that some collision must take place between the two Chambers. In the Chamber of Deputies a resolution passed requesting the King to propose a law Subjecting to a new election any Deputy who may receive an appointment under the Executive. The Committee of

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[147] Capo d'Istria or Capodistrias, Count Giovanni Anton, was born in Corfu, February 11, 1776, and was killed at Nauplia, Greece, October 9, 1831. He entered the Russian service in 1809; represented Russia at the Congress of Vienna, 1814-1815; was Russian Secretary of Foreign Affairs, 1816-1822; was dismissed from the Russian service; and then devoted himself to the independence of Greece. In 1827 he was elected President of Greece, serving from 1828 to 1831, when he was assassinated by the brothers Constantine and George Mavromichalis. His brother, Augustin Capo d'Istria (1778-1857) was President of Greece, 1831-1832.—*Century Dictionary and Cyclopedia*, IX, 213.

the Chamber of Peers has reported unfavorably on this Resolution and it will probably be rejected.

The law on elections after various amendments has been sent to the Chamber of Peers where it will receive perhaps some amendments which may not render it as acceptable as it would be in its present shape. The law on the Press will be the subject of a long and animated debate. More than forty speakers have inscribed their names for and against it. By the project as it has been proposed by Ministers, Editors of Newspapers are subjected to such heavy securities before issuing their papers, and to such heavy penalties on the omission of the slightest formalities, that it is believed no one would venture to publish a Journal should the law pass in its present form. It is indeed hardly possible that any law can make its way through the chambers in consequence of the difference of opinion respecting the regulations which ought to govern the Press. They have yet to learn, that it is impossible to make a law to prevent the abuses of the Press, without destroying its usefulness, and that all that can be done is to punish abuses when they have actually been committed.

You will before this can arrive have heard of the foolish and profligate game which is playing by Don Miguel in Portugal. It seems pretty well understood, that in case of his assuming the Crown, he will be deserted by all the Sovereigns of Europe. However this may be, it is certain that he will ruin Portugal by the loss of its trade, by dispersions among its population, and perhaps by a civil war.

I feel very sensible the loss of poor Sheldon who was eminently qualified for the place he occupied. You will have candidates enough, and heaven grant that you may make a happy choice. In my last letter I mentioned those who have applied to me for recommendations. Should the President have acted on my letter of the 1st. of March and granted my request to return to the United States leaving Mr Sheldon as chargé d'Affaires, his death may require me to prolong my stay until my Successor can arrive. You will since that time have received several letters in which I expressed my readiness in consequence of the improved state of Mrs. Brown's health to remain until Spring provided it would be more agreeable to the President that I should do so. Indeed it gave me great pain to make the proposal of returning and nothing but the alarming prospects of my wife could have induced me to

do it. At present every thing goes on well, we have recovered our hopes of the return of her health, and with it our spirits. The tumor on her breast diminishes slowly but perceptably, and I hope in a few months will disappear. Although she never goes out in the evening, yet her friends call every day, and with their society, and daily rides in the fresh air, she has nearly regained her former good looks and strength.

I was really shocked at reading in an English newspaper this morning an account of a brutal attack made in the Capitol by Jarvis[148] one of the Editors of the Telegraph on young Mr Adams.[149] If General Jackson's friends commence in this strain of violence and outrage, we shall have a stormy time of it during his administration should he be elected. Will not acts like these open the eyes of the people and rally them around an administration which has been at once wise, firm, and prudent? I hope you will not go to Kentucky where I apprehend some tragic scenes will be acted in the month of August. You have many friends there but also some very bitter enemies. Your life is of great importance to your family and you ought not rashly to expose it to danger. I presume Mr Adams is sure of a majority in that state. Our latest reports from New York are encouraging and yet the result is generally considered very doubtful. I have heard from Louisiana and am convinced that Mr Adams will obtain all the votes of that state.

I have been advised by our Physicians that the sea air and sea bathing would be beneficial to Mrs. Brown, and as I shall not obtain for some weeks an answer from the Count de la Ferrounays on the subject of our claims, I have sometimes a thought of passing two weeks about the last of June or beginning of July at Dieppe which is not more than a days ride from Paris. Should my experience of the effects of the waters be encouraging I may come up to Paris and write to you, so that not more than one Packet will leave Havre without a letter from me. We have now been nearly two years in this city without having left it for a day except on a visit of two nights to General Lafayette on the occasion of his

[148] Russell Jarvis was born in Boston in 1791, and died in New York City, April 17, 1853. He graduated at Dartmouth and Litchfield Law School; practiced law for a few years, but was later a writer for the *United States Telegraph* in Washington; in 1836 he joined the staff of the Philadelphia *Public Ledger*, of which he was editor for a time; and in 1839 he established the Philadelphia *World*, but he later moved to New York. At different times he wrote for other journals.—Appleton, *Cyclopaedia of American Biography*, III, 406-407.

[149] John Adams, son and private secretary of President John Quincy Adams. For an account of the incident referred to here see Charles Francis Adams (ed.), *Memoirs of John Quincy Adams*, VII, 508.

Grandaughters marriage. The greater part of the Diplomatique corps leaves Paris every summer. Hughes it is said wishes to come on here to make a speech on the 4 July, and as I am as little inclined to parade as he is fond of it, he may be the great man of the day if he thinks fit. He is very anxious to be made a Minister and perhaps expects that if General Jackson is made President he may through the influence of his father in law be sent to some more important court. Smith writes me making strong professions of neutrality but I can as I think perceive that he is not very friendly to the President. I do not know whether his influence is of much importance in the question. He told me in one of his late letters that the Osages and their French guide had played upon the credulity of Hughes and myself—that Benton had told him that they were not Chiefs but had come to France to be exhibited for money. I assured him that I had known what they were and for what purpose they came out the moment they had reached Paris—that I had even read their contract—that I had taken no notice of them except that when they called at my house, uninvited, one morning, I had given them some refreshments but had expressed my disapprobation of their speculation and given them my advice to return immediately. I assured him that I had invited no company to meet them made them no *speeches* nor given them any letters of recommendations. I added that Mr Hughes was better able to say how far he had been deceived than I could say for him, but that as they had been exhibited at all the low theatres and inferior gardens at Paris, before they went to Brussels, I thought he must have known that they were a miserable set of strollers unworthy of his notice.

I wish Mr Pleasanton would be so good as to close my account of the last year for which I sent him the Vouchers in January last. The retrenchment committee will I hope discover in them nothing which they can find fault with. My postage account is swelled by the letters which come to me for the other Legations. It is almost impossible to send newspapers and documents from this place to St Petersburg. No Courier will take charge of Packages so voluminous. The Collector of New York ought to send Mr Middletons Hughes & Wheatons papers by sea tc the ports of their respective countries.

We have just heard that Mr Huskisson[150] & Lord Palmerston[151] have gone out of the Ministry.

I am Dear Sir Your Aff'te friend & obed't Servant

JAMES BROWN

Hon. Henry Clay
Secretary of State.

Paris June 13, 1828.

My dear Sir,

I have had no letters from you for some time except that in which the President has been so kind as to give me leave of absence. You have before this time received the news of Mr Sheldons death and consequently in all probability expect me to prolong my stay. The accounts I have already given you of the improvement of Mrs. Brown's health will leave you at liberty to count upon my remaining here until spring unless such arrangements have been made to fill my place as would make my return before that time necessary. If the news of the loss of Sheldon reached Washington before the close of the Session you have no doubt been beset by numerous applications for the place he has left vacant. As well Mr Adams as yourself are aware of the importance at this Court, of filling that vacancy, by a man of business, of good manners and temper, and one well acquainted with the language of the Country. If any of your Clerks shall possess these qualifications he would possibly make the best Secretary, because he would be broken in to steady habits of business and accustomed to labor and confinement. Many young gentlemen of fortune will solicit it, but they are generally impressed with the idea that they have nothing to do except to be going with the Minister to gay parties, and doing the honors of his house. These gentlemen will find themselves greatly disappointed when compelled to remain in the office five hours every day to copy letters and grant Passports. Besides Secretaries are

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[150] William Huskisson was born at Birch Moreton, Worcestershire, England, March 11, 1770, and was accidentally killed at Eccles, near Manchester, September 15, 1830. He was a noted English statesman and financier; was Secretary of the Treasury, 1804-1806 and 1807-1809; President of the Board of Trade, 1823-1827; and Colonial Secretary, 1827-1829. —*Century Dictionary and Cyclopedia*, IX, 520.

[151] Henry John Temple, Viscount Palmerston, was born October 20, 1784, and died October 18, 1865. He entered Parliament and became Junior Lord of Admiralty; was Secretary of War, 1809-1828; became Minister of Foreign Affairs in 1830; favored Catholic emancipation, Belgium under her new king, and the independence of Greece; favored Turkey against Russia; and became Prime Minister, February 5, 1855, and with the exception of Lord Derby's administration (1858-1859), he held the office until his death.—*Century Dictionary and Cyclopedia*, IX, 985.

not here as at Washington invited whenever the Minister is asked to dinner or evening parties. In a word the place suits only a man of business and no other ought to have it. I hope the President will exercise his own judgment in this choice without giving too much weight to the recommendations of those who are not as competent judges as himself. It may be of little consequence to me personally but is of much more to the Country than most persons imagine.

The Emperor has joined his army, the Turks who had remained in a state of astonishing apathy, had become awakened to the danger, and we shall soon receive intelligence from the East of an important character. It is generally believed that the Emperor will easily overcome any force which the Porte can now interpose between Constantinople and the Russian army. It seems pretty well understood that other nations will remain neutral unless Russia shall push her acquisitions of territory so far as to endanger the Ballance of Europe, in which case some attempt will be made to restore it not by taking from her the conquests she may make but by endeavoring to share in the spoils of the Barbarous nations.

The Chambers are yet in Session and will not adjourn for some time. It is yet uncertain whether Ministry will or will not ultimately gain a majority. In some instances the centre has acted with the right, and some times with the left, thus inclining at pleasure the majority to the liberals or friends of Villele.

I find General Smith has again endeavored to injure the administration by his Colonial questions. Much nonsense has been spoken in relation to Guadaloupe & Martinique. The ordinance was passed for the convenience of the Inhabitants of those Islands and not with any view to our advantage or in any hope of favoring their navigation. The present Ministry seems to be better disposed towards us than the last, and I think will place the intercourse on a fair footing. As to the Claims, they believe that the Chambers would not agree to the appropriation or seem to believe it. The heirs of Beaumarchais some of whom have great influence are becoming advocates for the payment of our Claims as a means of obtaining their own.

Mrs Brown's health is much improved and I now hope will in three or four months be perfectly reestablished.

I am Dear Sir very sincerely

Your friend & Obd't Serv't

JAMES BROWN

Honble. Henry Clay.

Paris June 27, 1828

My dear Sir,

I have been somewhat alarmed at discovering from the newspapers that you had arrived in Philadelphia for the purpose of consulting Physicians respecting your health. I knew it had long been delicate, that your labors had been great, and that with all your firmness you could not be altogether indifferent to the shameful attacks which were leveled at you, as well in the public Journals, as on the floor of Congress. Doctor Brown however greatly relieved my mind by assuring me that your complaint was by no means dangerous, and that travelling, abstraction from business, and a change of scene, and air, would speedily restore you to health and strength. I beg of you to avail yourself of the recess of Congress, and withdrawing from all business, and selecting for yourself the most agreeable route to endeavor to effect a speedy restoration of your enfeebled Constitution. By no means if you can avoid it return at this time to Kentucky, where party spirit, and lawless violence, are likely to assume uncontrouled sway, and sweep away all moderation and good sense. The North where you will find a more calm state of publick opinion, and a higher state of moral and physical culture, will better administer to your cure by more agreeably occupying your mind and diverting it from political cares. I would were I in your situation, visit the falls of Niagara, and descend the St Lawrence to Montreal, and then return to New York by Boston. In the course of the journey you will view at once the most beautiful and diversified scenery in the U States, excepting perhaps that of Virginia and South Carolina.

I have this moment received a letter from our Consul at Havre who informs me that two Packet Ships have arrived and that I shall receive my newspapers and letters tomorrow. He

announces to me the appointment of Mr James Barbour[152] as Minister to London. You could not have selected an individual within the rank of the Presidents friends, for whom I entertain a greater esteem on account of the generosity and manliness of his character and the excellence of his heart. I am sure he will please by his kind and candid manners those of our Countrymen who may pass through England. He is a good specimen of the Virginia character which will be something new in England. It is to be regretted that the salary is so small that if he indulges in his naturally hospitable temper he must greatly impair his fortune. I am told however that Ministers plenipotentiary do not often give diplomatic dinners, which are only given by Ambassadors and the Nobility. If this is the case he may live cheaper in London than he could do in Paris where Ministers entertain nearly as much as Ambassadors. I have heard it said that Mr Lawrence[153] would not remain at London after the arrival of a Minister. Perhaps he may apply to be transferred to Paris as the state of society here is more agreeable to him. His character is spoken of in the most favorable manner by all those who have seen him in London. We shall wait with some anxiety to know who will be Secretary of War.

The Russians have passed the Danube on the 7th. and 8th. after meeting with some resistance. Their army is full of enthusiasm and in a high state of discipline. The Turks are preparing to contest every inch of ground and will derive great advantage from the nature of the Country through which the invaders will be obliged to march. The Persians it is said have commenced hostile movements on their side against the Porte and he will have equally to dread the infidelity of the Janizaries and the discontents of the Christians. If the Russians shall not be opposed by some European Power the Turkish Empire must be of short duration. Its destruction would confer a great benefit on the cause of civilization.

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[152] James Barbour was born in Virginia, June 10, 1775; was deputy sheriff; studied law and was admitted to the bar; served in the Virginia legislature from 1796 to 1812; was governor of Virginia, 1812-1814; United States Senator, January 2, 1815-March 7, 1825; Secretary of War, March 7, 1825-May 26, 1828, when he went to England as minister; returned to the United States, September 23, 1829; and died in Virginia, June 7, 1842.—*Biographical Directory of Congress*, 669.

[153] William Beach Lawrence was born in New York City, October 23, 1800, and died there on March 26, 1881. He graduated at Columbia College; traveled in Europe, 1821-1823, where he was cordially received; studied law in Paris and returned home to practice his profession; became secretary to the London legation in 1826 and chargé in 1827; and then returned to New York, where he wrote, lectured, and practiced law.—*Dictionary of American Biography*, IX, 399-400.

You will perceive that the refusal to discuss our claims has been alledged by Labbay Pompieres amongst the charges against the late Ministry. General Mathieu Dumas[154] who served in our Revolutionary War is connected with Beaumarchais heirs, and as their claim awaits the settlement of ours, he puts an interest in their adjustment. I hardly think our proposal for an arbitration will be accepted but I have some hope that in refusing it Ministers will make some proposal for the adjustment of our Claims by a gross sum smaller than the amount of the Claims as stated by the Claimants could be accepted perhaps it might be offered. Our experience as derived from the last Spanish treaty proves that Claimants exagerate the amount of their claims. In that instance I think the claims were stated to amount to more than fifteen Millions, and yet when examined, were covered by five. If the claimants had an agent authorized to compromise for them perhaps something might be done. This however is a delicate subject and any Minister who would make a treaty on that basis would expose his character to suspicions of an unfavorable kind.

Mrs. Browns health which had improved very much, has lately been impaired by a severe cold, followed by fever, and difficulty in breathing. She coughs so much that if I did not believe her complaint asthmatic I should fear her lungs were affected. I have been advised that it proceeds from weakness arising from a long regimen and free use of medicine. Her Physicians advise me to take her to the sea shore where she may have the benefit of sea bathing. If her strength will permit I shall accompany her in a few days to Dieppe where I shall leave her and return to Paris. The distance is but a ride of 16 hours. I have passed many anxious days and nights within the last eight months on her account. She is too weak to support a sea voyage. I hope a change of air will relieve her. In addition to the complaint of which I wrote you, she suffers from the complaints incident to the critical period of life at which she has arrived. Her spirits are good and she never permits her courage to abandon her. As she is generally beloved by all her acquaintances she has received from all of them daily proofs of sympathy and kindness.

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[154] Matthieu Dumas was born in Montpellier, France, December 23, 1753, and died in Paris, October 16, 1837. He was a famous French general and historian. His most important work is *Précis des événements Militaires* (1816-1826).—*Century Dictionary and Cyclopedia*, IX, 343.

The present Ministry having proposed laws conformable to the Charter and in accordance with the publick opinion, have gained much popularity since the opening of the Session. The Count de la Ferronnays Minister of foreign affairs unites great frankness and elevation of character to talents far above mediocrity. Mr de Martignac Minister of the Interior possesses talents as a lawyer and statesman of the highest order. He is a ready and eloquent debater and seems to understand the management of a popular assembly. Mr Roy Minister of Finance although a rather heavy and uninteresting speaker so far as his manner is concerned yet understands perfectly well the subjects belonging to his Department, and with great wealth, the fruit of his own acquisitions, possesses great weight of character. Mr de Neuville you know perfectly well. He is as he ought to be in *France* a supporter of Legitimacy, but is at the same time an admirer of the Charter, a friend of free elections, to equality before the law, and to the liberty of the Press. Mr Vatimesnil Minister of publick Instruction has been procureur General du Roi in the Court of Cassation, and justly enjoys the reputation of distinguished talents. All the laws proposed have passed the deputies by large majorities composed principally of the liberal party. Amongst these are the law on Elections, on the 80 Million loan, and on the Liberty of the Press. The two former have passed in the aristocratic branch of the Legislature. The ordinance of the 17 Inst depriving the Jesuits of taking part in the publick instruction is exceedingly popular and has elevated the King and Ministry in the estimation of the people. The situation of France is much more prosperous now than it has been at any former period. Their Navy has advanced with great strides. They have now nearly 180 vessels of war of all sizes afloat. There has been a rumor for some days that they had obtained as some say Porto Rico others the Balearic Isles from Spain in payment of the debt due to France from that Country. A considerable squadron which sailed from France some days ago was destined as report said to take on board the French troops at Cadiz and with them to take possession of the newly acquired domain. I have not been able to obtain any certain information on this subject. It is not very probable that Spain would give up Porto Rico and the Balearic Isles could be of little utility to France.

Your accounts are regular as to what is passing in Portugal and therefore I shall merely observe that this Government is not

disposed to countenance the conduct of Don Miguel however much it may please the Jesuits and friends of Absolute power. It is very possible as the English are very unpopular in the Peninsula that Spain may ultimately favor the pretensions of this contemptible adventurer.

I find much difficulty in transmitting the Newspapers and documents to Mr Middleton at St Petersburg. Few Couriers are going to that place and indeed the papers are too voluminous to be sent in that way. It would be well to instruct the Collector at New York to send all the Dispatches for Sweden Denmark and St Petersburg by sea to some port on the Baltic.

Mrs. Brown renews to Mrs. Clay expressions of the sincerest affection.

I am Dear Sir very truly

Your faithful & Obed't Servant

JAMES BROWN

Hon Henry Clay.

Paris July 12, 1828

Dear Sir,

In consequence of a violent cold attended with fever Mrs Brown has suffered very much during the last three weeks. Her Physicians insist that she shall immediately repair to Dieppe where they conceive she may restore her enfeebled Constitution by change of air, repose, and sea bathing. My brother and niece have just arrived and will go with us the day after tomorrow to the sea side, where I shall leave her in their care and immediately return to Paris to avail myself of the approaching adjournment of the chambers and put in my negotiations. I have not been unemployed in endeavoring to pave the way to success by every measure which has sugested itself to my mind as likely to contribute to a favorable result. You will perceive by the Newspapers that some observations have been made on the floor of the Chamber of Deputies in relation to them. It gives much pleasure to express to you my hope that the complaint of Mrs. B which she has given me so much alarm affords hope for her recovery. She continues to sustain her spirits with admirable firmness.

I am happy to find that you have resolved to absent yourself for some time from Washington and to enjoy some repose ren-

dered so necessary to the recovery of your health. I pray you to avoid as much as you can all subjects of irritation. Your life is precious to your friends and family, and as to the attacks so wantonly levelled at your character they will recoil with time on the authors. I think the election will turn upon Kentucky and if the accounts received from that state deserve credit, it will vote in favor of the administration. At all events the more steady and reflecting portion of the community will support Mr Adams and this will be creditable to him whatever may be the result.

The Russians who from the apathy manifested by the Turks had expected but a feeble resistance are now convinced that the struggle will be difficult and that many obstinate battles must be fought before they can obtain possession of Constantinople. So long as the resistance is great the war will be confined to the two powers and indeed under any state of things I doubt whether it will become general.

Don Miguel has been declared absolute King under the title of Miguel 1st. The Constitutional troops act with but little vigor and as the Nobles the Clergy and Canaille are opposed to Don Pedro it is probable the cause of the Constitution will fail of success.

I wait with some impatience to see who will be sent as Secretary of Legation in the room of Mr Sheldon. I can hardly expect a successor equally qualified for the place. You will perceive that I have carefully abstained from making any recommendations.

I am Dear Sir very truly

Your faithful & Obedient servant

JAMES BROWN

Honble Henry Clay.

Paris July 28, 1828

My dear Sir,

Your letter of the 15 Ulto. informing me that your health had greatly improved, that you only required absence from business and exercise to confirm it, and that you were just setting out on a Journey to Kentucky passing the Virginia Springs, gave me the greatest pleasure on account of the alarming reports on that subject which had already reached me. General Lafayette

who had just heard that your life was despaired of, called on me and was much gratified at the contradiction of the report contained in your letter. I beg of you to live if by prudence and care you can preserve your life, as well for the gratification of your friends, as to vex, and disappoint, and mortify, some of your inveterate enemies. Not only *live* for these purposes, but be cheerful, and calm and contented, and happy. Nothing gratifies an enemy so much, as to perceive that his sting is felt, nothing disconcerts him so much as to discover that his malice is impotent.

My brother and my niece[155] arrived here just as we were leaving for Dieppe, where Mrs. Brown had been advised to spend a few weeks for the benefit of her health. They very readily agreed to suspend their curiosity, and accompany us. I remained with them until the 20th. and then left them, in order to be in Paris in time to see the Minister of Foreign Affairs on the business of our claims. You will see the result of our interview in the Despatch which I send by this Ship. We have been so often deceived with hopes of success that I have not ventured to hazard the expression of mine in my official letter, but I cannot help thinking that we shall succeed, if the present Ministry, and more especially the Minister of F.A. and of the Marine, continue in office for some time, and shall receive as they have lately the Confidence of the two Chambers. Our success depends, in the event of the continuance of peace, upon the adoption by France of what has been already commenced, a more strict system of economy and accountability than has hitherto prevailed In the event of a Continental war, our weight may do something for us. In the interview which I had with the Count de la Ferronnays, I enlarged upon the liberal measures which had been adopted at the last Session, in relation to the Commerce of France, and urged that they ought to be met by at least an honest settlement of debts so long due to our citizens. I was surprised to find General Smith expressing regret at the turning out of the Villele administration, and stating that Mr V. was exceedingly friendly to the United States. If he has been liberal in any one act, I have not been made acquainted with it. I labored Eighteen months to obtain restitution of the discriminating duties demanded on two Tobacco, and five Cotton Cargoes merely because they had touched

[155] He must refer to Dr. Samuel Brown and his daughter. After resigning his professorship at Transylvania University he traveled over Europe and America. Dr. Humphrey of Staunton, Virginia, was a brother-in-law of the Brown brothers also.—*Dictionary of American Biography*, II, 152.

at Cowes or Cork for orders, and because by the act of this Government, forbidding their Consuls to give certificates of origin to any vessels which should not clear out for a French port, they had rendered the obtaining of that document impossible. I have renewed the correspondence with the present Ministry and have better hope of success. It has been referred by the Minister of Foreign Affairs to the Count de St Cricq Minister of Commerce with whom I have asked a conference. He has appointed for it the day after we shall have sent off our dispatches, so that you cannot know his decision until the sailing of the next Ship. One thing I think will be clear—If I do not gain the cause I shall gain the argument.

Mrs. Brown begs me to say that she will execute your Commissions, and those of our friends Mrs. Rush[156] and Mrs Wirt,[157] at her return to Paris, which will take place early in September, and send them if possible by the Vessel of the 15 of that month. Make yourself perfectly easy about the small sum you say stands to my credit. I have ample means at my disposal until my return. If it was ten aye fifty times as much it would never figure in the scandalous and incredible list of Mortgages published by your Kentucky *friends*. Great God to what a cruel height has malicious immorality grown in our Country where such things can be tolerated. But meet it all firmly and good naturedly. In my youth I was the most irritable of human beings. I am now and have been for several years one of the least excitable. I find my account in this change of temper. Wretches like many of your enemies are unworthy of any sentiment but those of pity and contempt.

Mrs. Brown is fortunate in being absent from Paris at this time because she is too weak to entertain her friends, and too hospitable to abstain from giving them a kind reception. I am told Mrs. Scott and Mrs Cabell and their mother have arrived at Havre in the last ship. Mrs. Brown and myself have been deeply affected at the loss which we have sustained by the death of Miss Mary Sumter of South Carolina in her 21 year. She was

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[156] Doubtless Mrs. Richard Rush. He was born August 29, 1780, and died July 30, 1859. He was educated at Princeton, studied law, and was admitted to the bar; was Attorney General, 1814-1817; served as Secretary of State for a while in 1817; was minister to England, 1817-1825; became Secretary of the Treasury in 1825; and was a writer of note.—Appleton, *Cyclopaedia of American Biography*, V, 350.

[157] Doubtless Mrs. William Wirt. He was born November 8, 1772, and died February 18, 1834. This orphan was reared by an uncle, and Benjamin Edwards looked after him and educated him. He became one of America's outstanding lawyers.—Appleton, *Cyclopaedia of American Biography*, VI, 578-579.

a dear and interesting friend indeed like a daughter to us. At that early age with beauty which would have spoiled any other young lady (for she was universally acknowledged as the greatest beauty in Paris) she spoke and wrote perfectly and with equal ease the Portugese, French, and English languages, was a fine Musician, and to the most excellent heart, united the greatest polish of manners. Her poor father and mother will be broken hearted at hearing of her death.

You ask me will the War in the East become general? It is not very easy to conjecture what will result from the present very extraordinary position in which Europe is placed. I do not think that either of the great powers, or indeed any power, will make common cause with the Turks, or indeed directly oppose resistance to the march of the Emperor. What may however be considered as probable is, that France England, and perhaps Austria, will endeavor to avail themselves of the moment to take possession, severally, of portions of the Ottoman Empire. It is now reported that France with the consent of England is about to send twelve thousand men into the Morea, and I shall not be surprised if she takes possession of some important positions to be held, either as securities that Russia will not pursue the war for motives of aggrandizement, or as an equivalent for the strength which the Emperor may gain by his victories. England has sunk much in the Opinion of the Continent, on the score of strength, not only by the events which have taken place in the East, and in Portugal, but also by the dispending language which has been used in Parliament, and by her Ministry. This, and the popular conduct of the new Ministry, which has united the people and Government to a degree beyond what has been known since the Restoration, has given confidence to France, and inspired her with the disposition to take a high stand in the European family of nations. It is possible that England, alarmed at the rapid growth of the French Navy, and discovering that the loss of her maritime superiority is threatened, may rouse from her despondency, & make a vigorous attempt to destroy the French fleet. This event is however by no means probable, as in the present distracted state of Ireland, a war with a Catholic power, would, too probably, terminate in the loss of that portion of the British dominions. I rather incline to the opinion, that England will endeavor to get up a Congress, and try to arrange all her questions by negociation. Her standing at such a Congress will be very

different from what it has been at former meetings of that kind. Lord Granville has been succeeded by Lord Stewart, formerly Sir Charles, who is considered as an able Diplomat. He has just arrived but has not yet been presented at Court.

I am very well acquainted, and much pleased, with (torn away) Smith, who passed the greater part of a winter in Paris. He would be every thing I could wish if he possessed a knowledge of the French language. Too little attention to this circumstance has hitherto been given by our Government. In former days, when politicks entered but little into the conversations of the people and when Representative Governments were not in existance, it was much less important, than it is at this time. Every body here, as with us, converses on the politics, not only of his own Government, but also of every other with which it has relations. Much may be done by judicious conversations, which may have an indirect bearing on questions depending between this Government and that of the Minister, and without writing a single note, many difficulties may, in this way, be removed out of the way of negociation. The correspondence with the Government is in our language, but that with the Inhabitants who apply for information may as well be written, as copied, by the Secretary of Legation, without an application to the Minister. I shall be happy however when Mr Smith arrives because he is honorable, amiable, and I believe sincerely attached to me. With application he may in one or two years acquire some knowledge of the language, perhaps enough to enable him to go on with ease. Mr Lawrence writes me that he will make a visit to this city and then return to the United States.

I am happy that Mrs. Clay has the pleasure of her daughters and grand childrens company during your absence. You speak too modestly of Anne when you say she is a good girl. I always felt convinced from her infancy, that she would be a distinguished woman. To ineffable sweetness of temper, she united great natural grace in her manners, and good sense in all her expressions. When I last saw her about five years ago I thought her very handsome. My brother and niece who met her in Tennessee speak of her in the most exaulted terms. I am happy that Henry is doing so well. He is at the best institution in the United States. I have written to him encouraging him to persevere in his studies, and hope my letter may have some effect.

I am happy to discover that you are still sanguine in your belief that the President will be reelected. If there is time enough for the passions and prejudices of the people to subside before the election there can be but little doubt as to the result. I am told that Livingston will lose his election in Louisiana.

You do not say how long you intend to be absent from Washington but I presume you will not return before October. Should this letter reach you in Kentucky, be so good as to make my affectionate remembrances to all my relatives.

I am Dear Sir very sincerely

Your friend & faithful servant

JAMES BROWN

Hon. Henry Clay
Secretary of State.

Paris August 12, 1828

Dear Sir,

Since the date of my last letter I have passed some days with Mrs. Brown at Dieppe, where she remains with my brother and Niece, in the hope that repose, and the sea air, will reestablish her health. Although there is nothing of an immediately dangerous character in her indisposition, yet she suffers from so many causes, that her situation is a source of constant anxiety to me. She has arrived at a critical period of female life, and in addition to some fears as to the ultimate result of the tumor of which I spoke in former letters, she has been for some weeks, greatly afflicted by the recurrence of a tic douleureux, or pain in her face, from which she suffered constantly before she left the United States. If my correspondence has not, for some months, been so full and satisfactory as you may have wished, you will be so good as to impute it to the true cause, the necessity of my devoting much of my time to one so deservedly dear to me, and whose situation requires every soothing attention in my power to bestow.

The Russian army has marched on with rapid strides and have not hitherto met with any resistance which is calculated to impede its progress, or discourage its hopes. The resistance it is true at Brahilov was obstinate, but the force was very inadequate to the defence of the place. The plague is said by the Austrian papers, to rage at Bucharest and in other places, but these ac-

counts are believed to be greatly exagerated. Varna is the next fortress which will be assailed, and although reinforced will fall before the immense force by which it is invested. The French army is already embarking at Toulon & will, on board of English and French transports, shortly be in possession of the Morea. At the latest accounts the army of Ibrahim Pasha, much diminished in numbers, was in want of supplies of every kind, and as it is believed was prepared to evacuate Greece. It is said that this fact was urged upon this Government as a motive for suspending the embarkation of the Troops, but was considered as insufficient to induce France to desist. It is not improbable that she wishes to place herself in a situation to watch the course of events, and either dispose Russia to be moderate in her demands by means of uniting in remonstrances to that effect, with Austria and England, or in the failure of that attempt, to seize upon a portion of the spoils of the Ottoman Empire. England continues inactive under all this, and what is yet more provoking, the outrageous conduct of Don Miguel, who imprisons her subjects, insults her diplomacy, and confiscates the Estates of her friends. The French papers which attribute this inactivity and patience to the public debt, the state of Ireland, and a consequent inability to support a war, have been filled with sarcastic and provoking articles, which are answered on the other side of the Channel, by attacks on the Editors, and compliments to the moderate, friendly, and pacific dispositions, of the French Government, which they represent as acting in perfect accord with that of Great Britain. I rather think that the influence of the British Government has sunk under the present Military Premier, who derived much of his publick Confidence from the persuasion, generally entertained, that he would raise the national character of England on the Continent. It is possible that presuming on the weakness of Great Britain, she may receive such provocation as may force her to make war, and with all her embarrassments she is yet capable of making necessary efforts by sea if not by land. The French Marine, although greatly increased in form and discipline, could not yet resist that of Great Britain. Austria finds her situation exceedingly unpleasant situated as she is near the seat of war, anxious for the success of the Turks, and yet afraid to give any direct assistance. Prussia is believed to be friendly to Russia, and many think that France, by receiving equivalents, might not be dissatisfied with the dismemberment of the Ottoman Empire.

The Chamber of Deputies having finished the budget and sent it to the Peers, has left Paris, with the exception of a small part of it, which still remains. The Peers are engaged in discussing the budget, but are compelled by the absence of the other Chamber to receive it as they find it, and pass it without amendments. The Ministry has done well this Session, and secured the support of a Majority of the nation. The Clergy, that is to say the Jesuits and the Congregation, are organizing themselves, and have lately presented as the papers state, a memorial to the King, in which they inveigh, in no very unexcused language, against the ordinance which takes the public instruction out of the hands of the Jesuits. The Bishops who belong to those two parties, it is said, refuse to assist in the Execution of the Ordinance, declaring that the publick instruction, and the choice of instructors, has always appertained to the Church, and that, although they know how to give unto Caesar what belongs to Caesar, they will obey God rather than man. Considering the mild manner in which the Ordinance has been executed, and the large sums devoted to Ecclestiastical instruction, (12,000,000 of francs whilst only 50,000 are devoted to primary instruction for all the laity) this discontent on the part of the Clergy would seem to be rather unreasonable. This Ordinance has been represented as an Act of persecution; and threats were uttered that liberal and liberty loving Jesuits would remove to our Country, where the free exercise of their religion would be tolerated. It would seem as if France was destined to exhibit to the world contrasts, the most striking and extraordinary that have ever been witnessed. The transition from a state of incredulity, bordering on Atheism, to religious disputes, and wars, in the short space of thirty five years, would be one of the most extraordinary which has been recorded in History.

Whilst touching on this state of things here, permit me to mention the receipt of a letter from Mr Brent on the subject of the Complaints of the two Priests in Philadelphia, on account of the papal order, assigning them Cincinnati as their place of residence, and menacing them with the consequences of disobedience. On reading the letter of Mr Harold I rather doubt whether this statement of the case is not such, that his admission of the right of submitting to restraints on our liberty voluntarily is not gotten over by the argument to which he has resorted. I am not sure that we, who as a Government, take no part in the discipline of the

Church, can interfere to punish a Priest from subjecting himself to ecclesiastical censures and ecclesiastical punishment, such as interdiction as a priest, for disobeying the order of his Superior. If the order is contrary to the Canons of the Church, he must resort to Authorities purely ecclesiastical to obtain their revocation. If the Pope attempted to enforce his order by any sanctions not merely spiritual, or if he employed force to remove a citizen from one place to another, then the question would admit of interference on the part of the Civil authority, but if he merely menaces the party with interdiction or excommunication in the event of disobedience, I do not clearly see how the laws can be invoked to protect him from them. In most European Countries the struggle between the Ecclesiastical and civil Jurisdictions has been long and violent, and has ended pretty generally in Concordats assigning to the Pope and Bishops the degree of Jurisdiction they shall exercise. We engage to protect the liberties persons and properties of all our citizens, whatever religion they possess. The orders of His Holliness are certainly arbitrary and despotic, and are calculated to revolt our republican feelings, but such is the Structure of their Hierarchy and so long as by entering on the Priesthood they surrender their reasoning powers and subject their spiritual actions to the Will of a foreign Head they must either abandon their profession or obey the Mandates of their superiors. Such is the first impression which this affair has made on my mind for I have but this day received Mr Brents letter. As I never act on first impressions in delicate matters, I shall acquire all the information I can before I proceed further and the President may rest assured that I shall carefully abstain from saying or doing any thing which could subject the Government to the imputation of interferring in matters purely spiritual. As a general principle it may be assumed that the best way to neutralize the effects of religious intolleration their principles, is to let them alone as long as they abstain from a violation of the laws. Thanks to what is often deplored, *divisions in the Church*, we find in the number of sects, the best safeguard against Persecution and intollerance.

I hope by the time this letter reaches Washington, you will have returned, and will have the satisfaction of having added to Mr Adams prospects in the East, the vote of Kentucky. If that State is gone the election is over. If you save it I think Mr Adams has considerable prospects of success. It is unfortunate

that the struggle had not commenced at an earlier day in Virginia and Pennsylvania particularly in the last. The tariff will I apprehend destroy all hope of enlisting Virginia under the administration banners. The result must now soon be known and would to heaven that it would bring with it tranquility and union. The advantage the world would derive from the example of our free Republicks is greatly impaired by these dissentions and the menaces of disunion with which they are sometimes accompanied. The prediction so often falsified but so often repeated that our Union was to be short lived, is lately relied on as promising its speedy accomplishment. The tariff made on concessions made to all, if I may judge from what I hear, displeases a majority of the people of the Union. My information may however be incorrect in consequence of the channel through it is derived. Pennsylvania will derive the greatest advantages from it and yet she is apparently opposed to the administration.

The Minister of foreign affairs has gone for a few weeks to a watering place in Germany for the purpose of improving his health. He will return about the middle of Sept'r and I shall again renew my negociations on the subject of the claims. The allegation that they are stale is so void of foundation that I think they must be ashamed again to allude to it. Considering the manner in which France has behaved under the Convention of 1822 in relation to the discriminating duties I think General Smith and his friends in Congress have been very generous to her. I have been laboring for two years to have those duties repaid, and have hitherto been baffled under various frivolous pretexts. I hope to have it decided soon and then you will see whether they deserve the treatment they have received in permitting them to land a part of their cargoes in their Islands, and be received afterwards in our ports on the footing of equality. Mr St Cricq has engaged to reconsider the decision of Mr de Villele and I am in daily expectation of his answer.

I have written to Mr Smith informing him of his translation to Paris and expect soon to hear from him. My occasional short visits to Dieppe rendered indispensable by the state of Mrs. Brown's health make me very anxious that he shall arrive.

I am Dear Sir with great regard

Your faithful & Obedient Servant

JAMES BROWN

Hon. Henry Clay
Secretary of State.

Paris August 30, 1828

My dear Sir,

Mrs. Brown returned with me from Dieppe a few days ago, but finding herself too weak to bear the fatigue of receiving company, and justly apprehending that her fondness for it would overcome her resolution if she remained within its reach she went out with my brother and niece to spend two or three weeks at Versailles at which place from its proximity to Paris I can see her frequently. She is delighted with the place which affords her so many agreeable means of taking exercise and I wish her to prolong her stay there until the beginning of October. I think she is in a fair way of recovering if she can abstain from company which in her present nervous state, the effect of taking too many and too powerful remedies, is very prejudicial to her.

The affairs of this continent present an aspect so complicated that no statesman can predict what will arrive or whether we shall have peace or war. The stocks still maintain their stand and such is the conviction every where that no nation (France perhaps excepted) is ready for war, that perhaps by amicable negociations it may yet be avoided. The unexpected resistance made by the Turks will also have a tendency to induce the Emperor to be more moderate in his demands and thus restore tranqility. The French people have always been friendly to the Greek cause and the sailing of the expedition from Toulon insures its success.

I have not yet received my letter from Mr Pleasanton informing me that my account of last year which I sent by the January Packet with the necessary *vouchers has been settled.* Will you be so good as to urge him to close it as I think that nothing on my part should give room for the criticisms of Messrs. Chilton & Co. I wish also to pay Barnet as soon as Smith may arrive and hope you will say what I ought to allow him.

My brother will leave Paris on the 15 of next month and will bring on what you have ordered for Mrs Rush Mrs. Wirt and Mrs. Clay. I shall direct the articles to you and you can settle with them.

The Louisiana election has gratified me very much and may have some influence on the other elections. I hope Kentucky has done well. It will now depend on New York where Mr Astor

assures me the administration gains friends daily. Write me all about these things and more especially tell me how you are because the accounts we have received of your health have given us much uneasiness.

Lieut Levi[158] of the Navy called on me yesterday and stated that he had obtained a furlough to come to Europe for his health which was now nearly expired, and that he was too unwell to undertake the voyage without exposing his life to great hazard. He says that he has been long in *actual* service. Of this last assertion I know nothing, but I can safely say that his health appeared to be very bad, and you may say so to Mr Southard should Mr Levi have asked for a prolongation of his furlough.

Mrs. Brown joins me in love to Mrs Clay Whilst I am Dear Sir

Your friend & Obed't servant

JAMES BROWN

Hon Henry Clay.

Paris Sept'r 12, 1828

My dear Sir

Mrs. Brown has sent to Havre a case for you marked No. 1 containing the following articles

4 Dozen white & one dozen black gloves.....fr		(torn away)
1 white hat and feathers.....		(torn away)
1 Cap.....	3	(torn away)
Case packing and carriage to Havre.....		(torn away)
	3	(torn away)

In the same case is a white hat and feathers marked for Mrs. Porter which you will please to deliver. The (torn away) will reimburse you the duties at New York custom house which I regret I could not pay here.

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[158] He likely refers to Uriah Phillips Levy who was born in Pennsylvania in 1795, and died in New York City, March 22, 1862. He entered the navy in 1812; became lieutenant, March 5, 1817; commander, February 9, 1837; captain, March 29, 1844; made his last cruise in 1858 as a flag officer of the Mediterranean squadron; became the owner of Monticello, but it was captured in the Civil War because he favored the North.—Appleton, *Cyclopaedia of American Biography*, III, 710.

I have also sent by the same ship fully consigned to Mr Isaac Bell a case marked No 2 Hon Richard Rush the following articles for Mrs. Rush

One black hat	f 55
One white hat with feathers	110
One cap	55
Case packing and carriage to Havre	15
	235

for which sum you can settle with Mrs. Rush and charge it for my account

Mrs. Brown has since writing the above decided to send the gloves by Doct Brown who will deliver them and see you at Washington soon after his arrival. You will of course settle with Mr Bell for the duties freight and charges in New York. Mrs. Brown has been in town from Versailles expressly to execute these commissions as she is so consciencious in cases of this kind that she would not permit it to be done by any other person. She is yet in a very delicate state of health and has been much better at Versailles than at Dieppe where the sea air was too piercing and cold. She would be delighted with France if she could recover her health. I fear she will not be able to enjoy society next winter as formerly in our house and this will have a very bad effect on her spirits, which have hitherto been excellent.

We wait with great impatience to hear from Kentucky elections and even should these turn out as we wish it is still doubtful whether New York will give the number necessary to elect Mr Adams. Pennsylvania has changed considerably but will I fear vote for Jackson.

You will find inclosed the Bills of the articles which will show the prices of what has been purchased

I am Dear Sir very truly

Your friend

JAMES BROWN

Hon Henry Clay.

(Private) • Paris October 28, 1828

Dear Sir,

The Minister ad interim of Foreign Affairs sent me a note last evening informing me that the Count de la Ferronnays had returned from the waters at Baden, and had resumed the Portfolio of that Department. I intend this day to pay him my visit of ceremony, and on tomorrow address him a note asking an interview for the purpose of ascertaining the views of the French Government respecting our claims for Indemnity. As in my repeated conversations with him he did not seem to insist much on the questions growing out of the Louisiana Treaty I cherish the hope that he may wave it and proceed to the examination of the Claims. Rumors are afloat of some changes in the composition of the Ministry. It has been said that the Count de la Ferronnays will be President of the Council and Mr (now Count) de Rayneval Minister of Foreign Affairs. To this arrangement it is said that a portion of the Cabinet has some objection, wishing the Prince de Polignac[159] to preside over the Council the Count de la Ferronnays to retain his present place and the Count de Rayneval to pass over to London as Ambassador. Count de Rayneval is highly esteemed for his talents and has had much experience in the school of Foreign Affairs. If the health of the Count de la Ferronnays shall permit I am inclined to believe that he will retain the post he now fills and that the Ministry will undergo no material change for some time.

The King has been inclined to call the Chambers together in the month of Dec'r but it is now said that the building preparing for their reception will not be finished before January. It is believed that many important measures will be submitted at the opening of the Session, and amongst others, municipal assemblies, in order to dispose of those local measures, which take up at each session so much of the time of the Legislature. The centralization of all business at Paris has long been a cause of complaint on the part of the several Departments the removal of which would greatly increase the popularity of the Ministry.

I have had the pleasure of seeing Mr Lawrence who has lately arrived from London, and who has given me such an esti-

[159] Polignac, Prince Jules Auguste Armand Marie de, was born May 14, 1780, and died March 29, 1847. He was a French politician and diplomat, the son of the Duchesse de Polignac; he was imprisoned in connection with the Cadoudal conspiracy in 1804; was ambassador to England, 1823-1829; Minister of Foreign Affairs and Premier, 1829-1830; signed the order of July 25, 1830, which led to the revolution; and was imprisoned, 1830-1836.—*Century Dictionary and Cyclopedia*, IX, 816.

mate of the expences of living in London as induces me to believe that Mr Barbour will not remain there much longer than his immediate predecessors. He assures me that he spent at the rate of three thousand pounds per ann whilst he remained in England as chargé d'Affaires. If you have to pay an outfit for your Ministers once a year the salary ought to be increased as a measure of economy. From the best estimate I can make the expences of Paris are nearly as great as those of London particularly on the arrival of a new Minister who is always subject to great impositions which observation and experience alone can enable him to avoid. This however is not a subject on which I have ever complained because I knew the utter inadequacy of the salary before I accepted the place and therefore ought with-o't a murmur to submit to the sacrifice. I hope now to embark on the 15th. of April or at furthest on the 15 May for the United States and request the favor of you to take the orders of the President as to the person with whom I am to leave the Legation. I presume it will be Mr Smith who has labored much since his arrival in Europe and has had but a moderate compensation. I trust that my poor wifes health will not interfere with her wishes to revisit her aged and venerable mother and her dear relatives to whom she is so warmly attached. I was afraid to tell you how much she was reduced in flesh and strength on leaving this city for Dieppe. I almost despaired of her recovery. Although her health has greatly improved yet I am not entirely free from apprehensions on her account.

The long expected intelligence of the surrender of Varna arrived this day by Telegraph. It surrendered on the 11 Octr. You will find the account in the Messages des Chambres which we send you by this opportunity. This event will revive the confidence & hopes of the Russians and induce the Emperor to continue the campaign through the Winter. Indeed this it becomes necessary because the Porte having left Constantinople with the sacred Standard cannot return unless after peace or the expulsion of the invaders. The French troops will soon reduce the places held by Turks in Greece and the recapture of the Morea being complete the French army will return to Toulon.

We anxiously wait for the result of the Presidential election. The question rests with New York. In the event of the election of Mr Adams who will be my successor?

It is now many months since I have heard from you. I am anxious to have news of your health, and am Dear Sir

Your faithful Servant

JAMES BROWN

Hon Henry Clay

P.S. I have several times requested you to be so good as to ask Mr Pleasanton to settle my account for the last year. If there is any difficulty let me know and it shall be explained.

Paris Nov'r 13, 1828

Dear Sir,

You have long ago received copies of my letters to the Baron de Damas dated the 1st. August and 16 October and his answer of the 31 of December 1827. You will receive by this opportunity duplicates of those letters, together with copies of my letters on the same subject to the Count de Ferronnays dated 8 June and (blank) October 1828. To these last letters I have not received any answer, but have been assured by the Minister of Commerce, with whom, at the suggestion of the Count de la Ferronnays I have had some conversation on their subject matter, that I might expect one in a few days. He informed me that he had advised the repayment of the overcharged duties on the two vessels which had sailed from Richmond laden with Tobacco, upon the ground that although they arrived at Havre *unaccompanied* with Certificates of origin signed by the French Counsul, yet as the Cargoes were afterwards purchased by the French Government, and certified by its Agents to consist of Virginia Tobacco, he had recommended that they should be admitted under the Convention. He observed that the Instructions given more than two years ago to their Consular agents had not undergone any alteration—that they would refuse Certificates of origin to any vessels not clearing out from the United States for a French Port *direct*, but that if any American vessels should hereafter arrive with the French Consuls certificate of origin which had in her passage touched at an intermediate port for orders, and should be also furnished duplicate certificates from the Custom House and Consul of France at such intermediate port stating that the vessel had carried on no commercial operation during her stay, that in such case, she should be admitted to the benefits

of the Convention. I repeated what you will find stated in my letters respecting the inutility of these regulations and observed that as the United States had hitherto invariably dispensed with similar formalities not required by the Treaty and as vexatious and useless, I hoped that France would adopt the same liberal course. At all events as France had never had any just cause of Complaint against the United States as having abridged her rights under the Treaty whilst the United States had considered themselves aggrieved by the interpretation placed on that instrument by the other party, it seemed to be the duty of the French Government, at once to place herself on the ground proposed by the Baron de Damas, and that too without expecting any new engagements or stipulations on the part of the United States. That I had hoped that this would have long been the case, and had mentioned in my letter of the 8th June the plan assented to by the Baron de Damas as an amelioration of the condition in which our trade had been placed by the instructions to the French agents. He intimated that the Minister of Finance was opposed to restitution on any of the Vessels, and that the question would be decided in Council. I observed that it must appear very singular that France should have claimed and obtained repayment of duties on Vessels which had touched at St Pierre in Martinique whilst the United States were refused it the instance of vessels touching at Cork or Cowes. He said that Martinique and Guadaloupe belonged to France and had been opened to a considerable extent to the Commerce of the United States. I replied that it was true those Islands belonged to France, but equally true that they were not embraced in the provisions of the Convention of 1822; and that although the French Colonies had been partially opened to our commerce, it yet rested with the Government of the United States to decide whether or not they would consent to place the navigation and commerce of those Islands on the same footing with the navigation and commerce of France. He observed that the first position I had taken would admit of an argument but that he should decline entering into it. He proceeded to say that if any American Vessels should hereafter arrive furnished with the duplicate Certificates mentioned in the Baron de Damas proposition, he would agree that after touching they should be admitted, and that if, provided with Certificates of origin from the Consuls of France, any vessels should be without the duplicates referred

to he would give weight to any circumstances which could show that the Cargoes had not been changed or landed on their passage from the United States.

I have sometimes thought that France perceived with some displeasure that the trade between the two Countries was almost exclusively carried on by American Vessels, and that she had felt the wish to cramp our commercial operations as far as she could without dissolving the Convention. The value of her exports to the U. States menaced as it has been by the provisions of our tariff, has, I hope awakened the Administration to more just views on the subject and will I trust before long induce it to adopt a system of greater liberality in their commercial relations. In pressing the subject of these claims, I have had frequent occasions to bring into view the progress which has been made with us in the introduction and consumption of the productions of France, and the effects which a just and liberal policy on her part might have in augmenting the quantity and value of exchanges between the two nations. I hope however that until something definite is agreed on here Vessels and Cargoes coming from the United States will *avoid touching* in their passage to France, or if they do come that they will be provided with the *Certificates of origin* and the *duplicate certificates* at the port where they may have touched.

You will perceive by my dispatch of yesterday that I make but little progress in the business of claims. The proposal to consult Count de Rayneval on the subject is I think a favorable circumstance. If no disposition to adjust our claims was felt, the arbitration would be rejected and the connexion of our claims with the Louisiana question persisted in. I hope that patience and perseverance may yet be successful and therefore in spite of the many petty and vexatious commercial questions which arise I endeavor to keep my temper and pursue conciliatory course with the Government. By moderation and mildness I hope to pave the way for my successor to achieve what I have not been able to effect, and thus have the consolation of thinking that my mission has not been altogether unprofitable to my country.

The Russian Campaign has ended in a manner which will not contribute to secure a peace, and if England and the Continental Sovereigns remain neutral, we may expect the renewal

of hostilities on a great scale at the opening of the next season. All will depend on the policy of France. Should she feel inclined to permit Russia to try the chances of another campaign, I cannot persuade myself that either Austria or England will oppose the Emperor or give direct assistance to the Porte. Parliament & the Chambers will open about the same time and then we may form a correct idea of the future events in Europe. Any jealousy France may once have felt of the growing power of the Emperor of Russia has been allayed by the events of the last campaign in which his success has fallen below the general expectation. England could do much to arrest the progress of Russia but will do nothing in the present distracted of Ireland and Portugal without the countenance of France. Prussia is as you know friendly to the Emperor.

I am sorry to say that the improvement of Mrs. Browns health underwent at Versailles has not been so lasting as I had expected. Since her return to Paris she has seen too much Company and has lost both flesh and strength. My whole soul is bent on her being able to bear the voyage in April as I think she could live more quiet at home than she can in Paris. If she be too weak to risk a sea voyage I shall leave Paris and travel in Italy or the South of France until her strength is restored.

Is my account which I sent with the vouchers last January settled? I pray you to let me know if it presents any difficulties.

I am Dear Sir your friend & Obed't Servant

JAMES BROWN

Hon. Henry Clay

(private)

Paris Dec'r 12, 1828

My dear Sir,

I have received your letter giving me the result of the Presidential election.[160] You may have perceived from my letters that I was not unprepared for it. It gives me pleasure to find you in such good spirits although it does not surprize me. You are relieved from a heavy load of business, the disgusting abuse of your enemies, and the task was too great for your strength of

[160] In the election of 1828 Jackson received 178 electoral votes and Adams 83. Adams received 8 of the 9 votes from Maine, 8 of New Hampshire, 7 of Vermont, 15 of Massachusetts, 4 of Rhode Island, 8 of Connecticut, 16 of the 36 of New York, 8 of New Jersey, 3 of Delaware, 6 of the 11 of Maryland.—Stanwood, *History of the Presidency*, I, 148-149.

sustaining a President who although honest, learned, and deeply versed in all kinds of knowledge necessary for the due discharge of his official duties, yet has never been, and never will be a favorite with the American people. I am rejoiced that you are once more free and at liberty to resume the floor of the house of Representatives where with urbane manners and your fine talents for debate you cannot fail of success. Your temper must have been soured, your health ruined, and your popularity forever sacrificed had you continued four years longer in the Department of State. The House of Representatives has felt the want of your energy and talents in the Chair, and in the event of your election from your Congressional District will I hope chuse you as speaker of the next Congress. Do not remain suspended in your choice but decide at once to resume your former position which had you retained it would have held you up more fully to the publick notice than a place in the Departments. But I forget in my zeal for your welfare that you are much more capable of designating your own course than I can be, removed as I am from the means of forming a correct judgment.

I have made Mr Barnet the allowance amounting to nearly the salary of a Secretary of Legation because he gave up his business and made some sacrifices to accept the place at my request. It was very difficult if not impossible for me to find a man to do the duties, who was trustworthy, an American, and sufficiently well acquainted with the French and English languages. He did not live in my family as I was for some months absent occasionally from Paris and consequently when the expences of his board are taken into view the sum did not appear too large. The allowance is only for four months and a halfs salary, the services done by himself and his brother for which the allowance is made commence on the 16 April and end the 5th. Sept'r. I shall send on my account for 1828 on the 15 January and hope that like the former it will be settled without difficulty. I believe the Legation at Paris is one of the most economical we have, although so many letters are sent through it. I have endeavored to avoid making any charges which could be considered as questionable. Fuel and lights are more costly here than at London, and yet no charge for them enters into my account.

From many quarters I hear it suggested that my old friend Livingston will be my successor. If Mrs Livingston can obtain

her wishes, her brother Doct Davezac will be named Secretary of Legation, and Smith will repent that he had asked to remain at this Court. If Livingston could raise sufficient means to live, he possesses the qualifications for representing the United States well at Paris. But Poinsett, Hayne, & Benton, and a hundred others will want the place and consider themselves slighted if refused it. This will be the case with all the important offices and the President elect will make more enemies than friends by the bestowal of them.

The very distinguished attentions which have been shown me in every circle here, have attached me strongly to many inhabitants of this city of different ranks and standing, and I shall feel much regret in taking my leave of them. The mode of living here and the state of society are such that if Mrs. Brown ever recovers her health and my private circumstances permit I may visit France in the course of two or three years. The first object however is to endeavor so far to reestablish her health, as that she may be able to support the fatigues of the voyage in April. *In confidence* I may say to you that although Mr Smith is a man of sterling honesty and fulfils in a very satisfactory manner the duties of Secretary of Legation, yet I do not think him capable of conducting any very important affair and therefore hope a Minister may be ready to supply my place almost immediately after my departure. I am not without hopes that this Government will enter with me on a discussion of our claims if the present Ministry can once feel themselves sufficiently strong to open a negociation which may possibly end in asking the Chambers for money. An individual who has access to the best sources of information told me that it was intended to appoint Count Rayneval to treat with me on the subject of the claims. It is evident however that this is not yet decided on or the Count de la Ferrounays would have communicated it to me. I have spared no pains to make friends to our claims and think I have procured a change in the opinions of men in and out of the Ministry since the last nine months. I talk of these matters without reflecting that three months hence they will be committed to other and I hope more successful negociators.

The Russians have not been successful in their campaign which has just closed in raising the siege of Silistria. The Turks it is said will make a vigorous effort to retake Varna before the

opening of the next Campaign. The loss of lives on the part of the Russians has not been less than 80,000 as reports stating but I think with some exaggeration. The failure of this Campaign has diminished much those apprehensions which have been created by the immense population of the Russian Empire.

I am very anxious to know how Jacksons Cabinet will be composed, who will get places and who will be disappointed in a word all that passes and is likely to pass. I beg of you to write me fully and to ask my friend Johnston to write me as often as he can. Everett wishes to leave Spain and it is said will be named President of Harvard College. Barbour I am told means to return. Middleton will stay as long as he can. Hughes will stay if made a Minister and will stay if left as Chargé d'Affaires. Wheaton and Appleton appear pleased with their situations.

I have never seen so many Americans in Paris at any former period as at the present. Many of them are very genteel and all expect those attentions which we have hitherto shown to our Countrymen almost without discrimination. This circumstance and the desire Mrs. B. feels to be hospitable to every one retards her convalescence and may prolong her stay in Paris beyond the 10 of April. If she is then too weak to embark we shall travel in the South of France or Italy.

I had the pleasure of receiving a very well written from your Henry who seems to promise well. What do you intend to make him Soldier lawyer or Manufacturer? Mrs. Brown hoped to have received a line occasionally from Ann during her stay in Washington. Has she returned to the West?

I have seen the Ordinance announcing the opening of the next Session on the 27 January. It will be long and interesting. The Jesuits are making a violent effort to turn out the Ministers and resume their powers. Nothing can equal the ambition and perseverance of this intriguing order.

Mrs. Brown joins me in Comp'ts to Mrs Clay

I am Dear Sir very truly

Your faithful & obed't Serv't

JAMES BROWN

Hon Henry Clay

Mr Barbe-Marbois[161] has requested me to send on with my dispatches three copies of a work he has lately published. One copy for Mr Adams 1 for Madison & one for Monroe.

Paris Dec'r 30, 1828

My dear Sir,

The Marquis de Marbois has requested me to transmit to you several copies of his work on the Louisiana Treaty which I have promised him you would hand to his friends to whom he has presented them. By delivering them to the Representatives of the Districts in which those to whom they are addressed reside they will reach their destination.

By the time this letter reaches Washington you will have nearly finished your laborious career and be preparing to quit public life. You will not long be permitted to remain at home. Your district will require your services and your friend Clark will probably be too happy to retire to his usual occupations. The immense majority in favor of General Jackson not only proves that he is popular but proves more strongly what I always believed that Mr Adams with all his talents and virtues is not the man of the people. You are not the first statesman who has mistaken the publick feeling and fixed upon the unpopular Candidate. Mr Van Buren in the support he gave to Mr Crawford was equally disappointed as to the result but has in the short space of four years enjoyed a triumph in the election of General Jackson. If you take the decision of the people as the true standard of what is right, and we republicans have no other, and acquiesce good naturedly in it, you may soon find yourself in the Speakers chair a Situation in my opinion much to be preferred to that you have filled during the last four years. Indeed I think the prospect of being noticed by the people in another way is better when in that situation than when acting as Secretary of State. But you

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[161] Marbois, Francois, Marquis de Barbé, was born in Metz, January 31, 1745, and died in Paris, January 14, 1837. He became secretary of the French legation in the United States in 1779; became chargé after Luzerne departed till 1785; married the daughter of Governor William Moore of Pennsylvania in 1785; was intendant in Porto Rico; ambassador to the German Diet in 1792; in September, 1797, the Assembly condemned him and fifty-two others to be sent to Guiana; upon his return he was made first counsellor of state, and Secretary of the Treasury in 1801; was appointed in 1803 to sell Louisiana to the United States for 50,000,000 francs, but he made us pay 80,000,000 for it; was a Senator, 1813-1814; Keeper of the Seal, 1815-1816; and was a noted writer.—Appleton, *Cyclopaedia of American Biography*, IV, 199; *Century Dictionary and Cyclopedia*, IX, 653.

are on the ground and know best how it will suit you to act and therefore I shall dismiss the subject.

We were agreeably surprised two or three days ago by the arrival of poor Henry Hart[162] from Toulon. He had obtained from my friend Ramage[163] who in the absence of Commodore Crane[164] commands the Delaware, leave to spend a month at Paris where he arrived under the care of the Purser of the ship. Her Hull was in a sound state but her rigging was somewhat damaged by the length of her cruise. This we have more than repaired, and shall lay in a stock sufficient to meet his wants until he returns to America. Poor Boy! His orphan condition and the hard and perilous life he has embraced have interested our feelings, and we shall do all we can to make him comfortable until he can see his native country. Captain Ramage writes me that he is a fine boy and much beloved by his Comrades. I had not heard until his arrival that you had been so good as to provide for him. Our relations have great cause to bless you for your kindness to all of them. The little fellow has had a long journey to see his Aunt, Toulon being distant six hundred miles from Paris. He will return about the first of February.

I presume but little business will be transacted during the present Session. The new President will have some trouble in forming his Cabinet and in making such selections as will satisfy the people and his adherents who have exerted themselves in the last election. Barbour I hear talks of leaving London. Were I in his place I should remain, unless recalled for two years. The outfit will make a great noise if he accepts it and returns so soon. If he is recalled (of which I think he can have no apprehensions) he would escape all animadversion.

I am happy to learn that my account for 1827 has been settled and have expected that Mr Pleasanton would have as usual on former occasions written to me informing me of it. Be so good

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[162] Henry C. Hart became a midshipman, September 1, 1827, and resigned September 29, 1834.—Thomas H. S. Hamersly, *United States Naval Register*, 326.

[163] James Ramage became a master in the navy, June 1, 1813; lieutenant, December 9, 1814; commander, March 11, 1829; was cashiered, September 24, 1831.—Edward W. Callahan, *List of Officers of the Navy of the United States*, 451.

[164] William Montgomery Crane was born in New York, February 1, 1776, and died in Washington, March 18, 1846. He entered the navy as a midshipman in 1799; became a lieutenant, 1803; commander, 1813; captain, November 22, 1814; commanded the *Vixen* in the memorable attack on Tripoli; was on the *Chesapeake* when it was attacked by the *Leopard*; and in July, 1812, while in command of the *Nautilus* he was captured, but was exchanged and sent to the Lake fleet. In 1827 he commanded the flagship *Delaware* in the Mediterranean; acted as joint commissioner with Offley, United States Consul at Smyrna, to open negotiations with the Ottoman government; was appointed naval commander, 1841; was chairman of the bureau of ordnance and hydrography in 1842; and died by his own hand.—Appleton, *Cyclopaedia of American Biography*, II, 2.

as to remind him of it. I will send in my account for 1828 by the vessel which will sail from Havre on the 15 and shall feel happy when I close my publick agency forever. You know I never was ambitious and since the decline of Mrs. Brown's health I have anxiously wished to retire from all publick business. The state of society has been such during the last few years that the pleasures of even private life are much diminished. I hope however that I shall be permitted to pursue the noiseless tenor of my way without molestation. I have for years endeavored to live peaceably with all men and have some right to hope that I may enjoy the fruits of my labors in peace.

The French Government or in other words the Ministry feel a strong desire to stand well with the United States and I think are only delaying the discussion of our claims under the fear that they will be obliged to propose a loan in addition to the eighty millions borrowed at the last Session. It was wise in our Government to suspend the adjustment of the claims of French subjects until France shall agree to discuss the claims of our citizens. The French claimants have influence, they know we have a right to do what we have done and they will urge the opening of a negociation which will combine all claims. I still hope that before the last of January something may be done to lead to the settlements of all the points about which we have hitherto disagreed. I have done all I could to pave the way to this result and if nothing has yet been done I cannot accuse myself of neglect.

Mrs. Browns health continues to be delicate and gives me much concern. She is now very anxious to return but has great reason to fear that she will not have gained sufficient strength before May to embark for the United States. My Successor will probably by that time have arrived, as the place will be sought by many Candidates all of whom are desirous of visiting this interesting metropolis. Reports from home and the letters of several of my friends state that Edward Livingston will in all probability be appointed. I am very curious to learn what will be the nominations made to the Senate after the 4th. of March and hope you will write me before you leave Washington.

I fear the two respectable Priests of Philadelphia will find themselves involved in serious difficulties with the Court of Rome, or to speak more accurately, with his Holiness. Several Priests have lately passed through this place who I have heard were not

friendly to those Gentlemen. The Catholics in the U States will experience many difficulties inseparable from their dependance on a foreign See and they must ultimately either secede from that of Rome or attempt to obtain a concordat with His Highness. I am sorry for the situation in which Mr Harold is placed for I find the most respectable Catholics of Philadelphia much attached to him. It is however a delicate subject to be meddled with by a Government like ours founded upon the principle of letting alone all religions.

Mr Adams Commentary on Mr Jeffersons letter appears to me at this distance as having been unnecessary and indiscreet. The prosecutions against Lyman will make him a man of importance in the New England States.

I am Dear Sir very truly

Your friend & Obed't Servant

JAMES BROWN

Hon. H Clay

Paris Feb'y 13, 1829

My dear Sir,

I had the pleasure of receiving a letter from you by the last Packet and should have answered it by the ship which sailed on the 1st. had I not been confined to my bed by an attack of chill and fever which obliged me to remain at home for nearly three weeks. It has now left me but I have not yet entirely recovered my strength. It was occasioned by cold having exposed myself during the unusually severe month of January in going to Carnaval parties at Court from which nothing but bad health is an excuse for absence.

I am happy to find that you have borne your disappointment and loss of place with so much true philosophy. If you have lost your office you will regain your health and improve your fortune and therefore I think you may felicitate yourself on the result. I hope as you love a little agitation you will obtain a seat in the House of Representatives where your weight of talents will be felt and where by resuming your cheerfulness and former popular manners you will again fill a high place in the esteem of the nation. The outs have acted manly in resolving not to set up opposition until the new administration shall have done something

which merits opposition. My own opinion is that the new President will disappoint both his friends and his enemies. That he will eject very few persons from office—that he appoint a strong and intelligent Cabinet and act in a spirit of wisdom and moderation. I am sure you love your country too much to wish that my expectations may be disappointed.

The English and Austrians are now carrying on the most active negociations in order to prevent another Russian Campaign against Turkey. Russia too would seem disposed for peace having sent negociators as well to London as to Constantinople. By some it is believed that the Emperor relying on the arrogance of the Porte inflated as he is by the success of his arms in the hope that he will reject his propositions, has given them an appearance of justice and moderation in order that other powers might find no pretext for their interference. Be this as it may great preparations are making for opening the next campaign which unless arrested by some arrangement will be one of the most sanguinary to be found in the annals of Europe. I think France will be neutral at all events if the nation has any leaning it is in favor of Russia.

You will see in the papers the extraordinary manner in which England has conducted herself in the relation to the Portuguese—refugees who embarked for the Island of Terceira[165] on board of Russian & English vessels. On arriving at the Port of that Island which has always remained faithful to the daughter of Don Pedro, and at the same moment when they were about to land, a British ship of War commanded by Captain Walpole fired on their unarmed Vessels and killed one man and wounded another. They were then directed to steer for a port of France escorted by the Vessel of War until they reached Cape Finisterre[166] and then directed to go to Brest where they arrived in a state of utter destitution. The French Government ordered them the necessary supplies and it is said will send them escorted by a French Frigate to Rio Janeiro. Some apprehensions are felt that an American Ship which sailed from Havre with one hundred of these unfortunate persons on board may on her arrival at Terceira experience similar treatment. The British Government if the facts be

[165] Terceira is one of the principal islands of the Azores.—*Century Dictionary and Cyclopedia*, IX, 987.

[166] Cape Finisterre is the westernmost headland of Spain projecting out into the Atlantic Ocean.—*Century Dictionary and Cyclopedia*, IX, 391.

truly stated will lose reputation by this affair which will no doubt be brought before Parliament.

Mrs. Browns health has so far improved that she has been at frequent and brilliant parties of the King, duchess of Berry, Duke of Orleans English & Austrian Ambassadors Ministers of the King &c &c and all within the last fortnight or three weeks. She has been received in so kind a manner that it has had a great effect on her spirits, and indeed I speak but truth when I tell you that she is in my opinion more beloved than perhaps any lady in the corps diplomatique, by her French acquaintances. Some few of our Countrymen and countrywomen are not easily pleased and not contented with all you can do for them at your own house insist on being presented at places where you have no right to introduce them. The number of these ambitious and difficult persons is inconceivable and in general I hope to have given satisfaction to the great mass of my fellow citizens. At all events I have done all I could with my limited means, and have I believe kept up an establishment as good at least as has been kept by any former Minister of my country.

We shall see you I hope in August if we are not frightened by the length and difficulty of the journey after our long voyage.

Give our love to Lucretia & believe me very truly

Your friend

JAMES BROWN

Hon. Henry Clay.

Paris May 29, 1829

My dear Sir

My letters have fully informed you of my intention to embark on the 1st. of June and I had some time ago made all my preparation for that purpose when a violent recurrence of the tic douleureux which has not abated in severity, compelled Mrs. Brown to renounce the idea of leaving France until she could not only be relieved from the pain but also recruit her strength sufficiently to bear her expected concomitant of sailing, sea sickness. I consider it necessary to write this explanation as my return being expected by my friends some uneasiness might be awakened by the arrival of the ship without us. The weather after a long and severe winter, and a late and uncomfortable Spring is now becom-

ing pleasant and will I hope accellerate her convalescence. On the 13 of February I wrote to the new authorities announcing my fixed purpose to return before the end of May and requesting that I might be immediate instructed as to the person in whose charge I should leave the Legation. I have not yet received a single letter from the Government on that or any other subject. Mr Livingston writes me that the place has been offered to him and as it is not very convenient to come immediately he regrets that I cannot prolong my stay. I learn from several quarters that he has another *batture* in the State of Pennsylvania which promises more profit than that which he explored at New Orleans. He will require something more than his salary to enable him to live in a suitable style at this Court unless he possesses means of economy to which Gallatin & I have been strangers.

The Russians move slowly and with all their immense preparations it is doubtful whether they will prove a match for the Turks. Should Constantinople be menaced I think it not improbable that England and Austria and perhaps France may interfere to terminate the strife.

Your new President has displayed considerable energy in the outset and unless restrained by the timid and cautious policy of the Secretary of State will effect considerable *reforms* before the meeting of Congress. I find you are up for the House of Representatives and if you can preserve your spirits, temper, and health, I have no doubt of your maintaining your coveted rank in that body. Barbour seems like Harrison to have been treated very unceremoniously. He has acted wisely in not resigning. He has offered to spend in the service his outfit and cannot be blamed for the waste of public money. These cases will revolt Virginia pride unless Kentucky and Delaware can be considered as more worthy of distinction than the Old Dominion. The Printers seem to be a priviledged or rather a favored corps and your friend Amos has made his debut by a brilliant display of economy which will never be forgotten by his Countrymen. But enough of this. You hear too much of it.

The Session here opened under the best auspices but has the appearance of terminating in a manner as unsatisfactory to Ministers as to the Majority. The office of Foreign Affairs has been vacant ever since the departure of Count de la Ferrounays

for Italy in the beginning of January. After having been refused by the Duke de Mortemart and de Montmorenci it has been accepted by the Count de Portalis formerly Minister of Justice who it is believed will soon leave it to preside in the Court of Cassation. The Ministry is considered as being in a precarious state and changes are expected before the end of the year.

I am now becoming very anxious to return as my personal affairs may require more attention. My last crop was excellent and lands fit for sugar are reported as having greatly increased in value. The time which you will have between the Sessions of Congress will be important to you in giving you the power of improving your property and occasionally adding to it by your professional talents.

Mrs. Brown joins me in expressions of love to all our relations whilst I remain Dear Sir

Your friend

JAMES BROWN

Henry Clay, Esq'r

New York Nov'r 1, 1829

My dear Sir,

You will see by the papers our safe arrival announced in the unusually short passage of 24 days during which time we enjoyed fine weather excellent accomodations and good society in a splendid Packet with an obliging Captain. Mrs. Brown suffered throughout the passage from sea sickness but I am happy in assuring that her general health, if not materially improved is certainly not impaired by the journey. We have been received with the most flattering attentions by the respectable inhabitants of the City who without distinction of political parties, have requested me to receive a public dinner on the 6th. I was very anxious to decline the honor intended me but as it was the offer of kindness springing from social and not from political feeling, I found I should by doing so hurt the feelings of some of the friends I had made during my residence in Paris who were anxious to manifest their gratitude for the trifling attentions I had shown them whilst I held a publick character abroad. On the 7th. I shall proceed to Philadelphia where we may be forced to pass the winter before we can have the pleasure of visiting our friends in Kentucky.

I fear some of our dearest relations may before I see them want some small means which I have it in my power without any inconvenience to spare. I therefore inclose a Bill of Exchange on John B. Humphreys for four hundred Dollars which you will oblige me by turning into cash and from the amount paying Mrs. Price One hundred Dollars in addition to the sum which I hope she has continued to draw in favor of her mother and herself one hundred Dollars to Mrs. Eliza Marshall our Niece, one hundred to Nansiette Smith our dear Niece and one hundred to Mrs. Eliza Ross. These sums are small but may perhaps be of some use to them, and they will oblige us by accepting them as a token of our affection.

Be so good as to write to me in Philadelphia and let us how you are and what you are doing. They say here that many are anxious to make you President. Are you not tired of the troubled ocean of politics or will you again launch into the busy strife. I hope my poor bark is once more safe in port and it is not my intentions again to meddle with politics unless driven to it by ill usage or persecution which I do not now apprehend.

Be so good as to present our love to Mrs Clay and all our dear relations. We are impatient to see them but find Mrs. Browns health too delicate to bear the voyage

I am Dear Sir very sincerely

Your friend

JAMES BROWN

Henry Clay Esq.

Phil'a Nov'r 30, 1829

My dear Sir,

I have had the pleasure of receiving two letters from you since my arrival, and am happy to learn that all relatives were well and that you now have the pleasure, after four years spent amidst the storms of party spirit, of spending some time with renovated health in the calm pursuits of agriculture. In answer to what you state respecting your wish to borrow twenty thousand dollars on an interest of six per cent I have only to report that some spare funds which I have are not at this moment at my disposition as it would have suited me perfectly well to have placed them with you. My friend Daniel W Coxe in July last

secured about fifteen thousand dollars of mine which he lent on the security of the deposit of Bank Stock at 5½ per cent per annum and Mr Astor at New York invested about three thousand more of mine in stock of the United States. The first letter I received from Humphreys on my landing in America informed me that he had invested all my funds in Louisiana in Planters notes at from 8 to 10 per centum per annum so that I am without a cent to dispose of unless the present crop should be more productive than I have, from the latest accounts any reason to expect. Had I been near you all this could have been arranged and that too without putting me to the slightest inconvenience.

I have however no doubt of the practicality of obtaining the loan and with the security you mention and had I the paper signed by Mr Duralde and Mr Erving[167] and yourself I could negociate it for you. If my signature in addition to, or guarantee of theirs should be wanting it shall be at your service.

I have been received at New York and in this City in a manner calculated to flatter my vanity and even to awaken my ambition if that passion had not become extinct in my bosom. The loss of my sister, the dangerous state of Doct. Brown's health, and the long and distressing indisposition of my wife added to the complete satiety I feel respecting public life have so alienated me from its cares that I do not feel disposed again to resume it. You are younger and of a different temperament and will probably like General Smith pursue the phantom till the last moment of your existance. The cause of the present administration if I may judge from what appears in the papers is gaining ground and unless General Jackson declined another election the party will probably remain united, and overcome all opposition. The small bickerings of discontent at Washington may serve for table chat but are of too little importance to have any great influence. Besides this the insurrectionary feeling is confined to the weaker sex, is somewhat ungenerous, and will be overcome by the energy of the Husbands and the influence of time and reflexion. In making these remarks you will consider me as having had but limited means of forming an opinion, having conversed very little with any of my friends of either party on the subject.

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[167] Martin Duralde, Jr., and James Erwin were the sons-in-law of Clay, residing in Louisiana.

I am told you have made great improvements at Ashland and am sorry that I cannot immediately have the pleasure of seeing them. Mrs. Brown must for some time refrain from exertion and attend carefully for her health. It is my intention to visit Louisiana in February and return in the Spring by Kentucky to this place. We have taken the House formerly occupied by Mr Gratz near the dwelling of Mr George Harrison where we prefer to reside so long as the indisposition of Mrs. Brown continues. Where we may reside afterwards must depend on contingencies.

Mrs. Brown joins me in love to Mrs. Clay and all our relatives

I am Dear Sir very sincerely

Your friend & Obed't Servant

JAMES BROWN

Henry Clay Esq.

Phil'a April 7, 1830

My dear Sir,

I have seen with great pleasure in the papers of this morning your safe return to Frankfort announced, and from what occured on the voyage and at New Orleans, I have ever reason to hope you have had a voyage in every respect agreeable to you, and what is better than every thing else beneficial to your health. Your friends here the number of whom increases daily have seen with much pleasure the honors which attended you on your way and hope that you will consider them as making some amends for the unexpected and unmerited persecution which has followed you during the last five years. The lot of a public servant in our happy Republic is peculiarly hard. He is paid scantily, and often persecuted unjustly.

I intended to have left this about the 25 of last month for New Orleans, but was confined to my bed about three weeks ago by a severe intermittent fever and have only been able yesterday to leave my room. I am now too weak and reduced to venture South this season but hope to go by sea about the 1st. of Octr. I hope my friend Humphreys will be able to keep my affairs in good order until that time.

Every thing at Washington is carried on in a way which leaves us uncertain as to what will be the effect of the present and past measures on the popularity of the administration. The Cabinet is said to be at sixes & sevens and will probably undergo some changes before or immediately after the rising of Congress. You perceive General Jackson is up for another term to the no small disappointment of certain persons. But you have friends at Washington who know more about these matters than myself and will doubtless keep you well informed. It is rumored that Mc Lean & Calhoun have been endeavoring to make some arrangement the particulars of which I have not heard. But there are so many of these loose rumors afloat and I go out so little since my domestic misfortunes that I cannot vouch for their truth. In fact my own opinion is and always has been that General J---n will in a popular election succeed against any other single Candidate.

Mrs. Brown health is still very delicate and her Complaints are of such a description as to forbid her to make any journey by land. If you have learned any thing respecting my interests at New Orleans it will give me pleasure to learn it as my Nephews are not very good Correspondents. At all events I shall be happy in having a letter from you as soon as possible. If you have any means of letting my brother know I am slowly recovering you will oblige me by doing so.

Make our love to all our relations and receive assurances of my sincere and constant affections

JAMES BROWN

Hon Henry Clay.

Phil'a Oct'r 28th, 1830.

My dear Sir,

My dear Niece has already as she tells me written to you and to Mrs. Clay, an account of the melancholly event, which will afflict sorely our family, and which has terminated all my prospects of happiness on this side of the grave. Although I had long renounced all hope of my dear wifes perfect recovery, yet her cheerfulness of temper, and that exemption from pain which continued until the last moment of her existance, inspired a confident expectation that we might be blessed with her dear society,

for many years. The blow has crushed me into the earth. I have been confined ever since to my room and bed, and even now can hardly so far command my feelings as to venture to write to you. I have one great consolation however in the reflection that she was faultless and blameless in her life, and as she had lived innocently usefully, and at peace with the world, so she has escaped from it with no more sense of pain than she would have felt if sinking into a gentle and peaceful slumber. I humbly trust that our heavenly father, in whose mercy she often expressed to me her entire confidence, and for whose benefits and favors she often expressed her gratutude, has gently translated her into the abodes of everlasting peace and rest. And I fervently beseach him so to order my future life and conduct, as to afford me an humble hope, to be reunited with her in a world where the afflicted find consolation and the weary rest from all their labors. Bewildered in my mind, with my spirits broken by the loss of my sister, and the brother of my heart, and this last dreadful bereavement, my constitution broken down by years and bad health, I have the greatest reason to believe that I shall soon follow my dear departed wife who has carried my main object of life with her into the silent grave. I am thankful to God that whatever of trouble and affliction may be reserved for me she will not be alive to participate in it and I sometimes think that she was kindly taken out of the way of impending trouble by a dispensation which leaves me, who felt myself far behind her in goodness, to bear alone, the troubles, and vexations attending the evening of life. I beg of you my dear good friend to do all you can to soften the sorrow of her dear mother and sisters. Alas I can scarcely bear my own.

When we were about returning from France last July twelve months she insisted that before we should embark we should make our wills. I told her it had always been my wish, that the law of Louisiana should have its uninterrupted effect, and at her death divide my Louisiana estate between our families. She contended that as the whole of it had been acquired by my industry I ought to have the uncontrouled use of it. I replied that her constant care had been as important as my industry. She then said that she knew that I had never made any difference in my feelings and conduct between her and my relations and that therefore she could safely trust her relations to my care during

my life, that as the estate in Louisiana was held in partnership with John Humphreys it was important that the partnership should be continued by will and no change made by her or my death and that to prevent this and the estate falling into the hands of Parish Judges or administrators of absent Intestates she thought we ought to make our Wills. We did so in nearly the same words and left them under envelope with Mr Beasley our Consul at Havre directing him to send them by the following or some packet inclosed to Mr Astor at New York in order to be used in case of accidents. These wills were placed in her trunk and found there after her death. A copy of hers is enclosed, by which you will perceive she has made you and Mr Smith her Executors. We were both at a distance from advice and I am a stranger to the late laws of Louisiana but Mr Livingston says that it is good as an olographic will of this you can be advised. It is wholly in her own hand and without interlineations or erasures. In the course of the last year she often urged me to go to New Orleans where my business had long required my attention but I thank God I considered it my duty to remain with her until the last moment, and whatever earthly affliction may overtake me I shall always rejoice at my determination. You mentioned your wish to spend the next winter at New Orleans on account of your health and indeed the benefits you derived from the climate last year seem to recommend the step you propose. I wish your presence there as well on account of the estate to which you are named Executor as on account of my suits with Keene. He has brought one for a lot which my council think he will lose but I think it not impossible that owing to Keenes negligence I may have some trouble. The other is preposterous in the extreme. He came to Paris in 1824 with a passport from Prince Polignac at London representing him as a late Colonel in the Spanish service. He might have had an American passport from our Minister Mr Rush if he had any claim to it. He chose the other and registered it at the police at Paris, and I would not give him another, leaving him to go out of France, as he had entered it—no difficult matter as every nation however unwilling to receive such a man has no objection to his leaving their limits The two claims are the only debts I know of excepting what we owed for our house-rent and furniture and I have here enough to pay these. John B. Humphreys has secured a deed for the 6th. mentioned in the Will and now owned

one half of the estate. I have not had a settlement with him for seven or eight years. I wish every thing so arranged that our two families may have nothing remaining in such a state as to disturb their harmony after Mrs. Harts and my death. For myself I shall hereafter want but little because I can enjoy nothing and shall feel it a sacred and religious duty to perform all my dear wifes wishes which are registered in my memory because they were all generous and just. I hope my dear friend you will aid me by your business talents in performing this task this religious duty in the best manner. It is some consolations to me to hope that the fruits of my labors now useless to me may be so disposed of as to make her family which has suffered so many losses happy. The amount will not be great but still may be to so dispensed as to do good.

The situation of my poor Niece who lost her mother when an Infant and her father in December and who crossed the ocean to place herself under the protection of a second mother whom she deeply mourns, is a great cause of pain and embarrassment to me. She has no near relatives here who can give her protection, and as she has spent almost her whole life in this city, I feel pain in tearing her from it, and carrying her to the west. I have been thinking, as my House is engaged till July, and could not be rented, that I may engage Mrs Phillips an aged and most respectable lady under whose care she passed many years to come into the house and protect her until I can return or make some other arrangements. She has an income from her father of near two thousand dollars annually and fortunately will only want protection. You see I bring into your view a part of my troubles which I might have concealed. Heaven knows my heart is torn and tortured with others which are unspeakable and incurable.

The last moments of my dear wife were divided between the care of her health and what she called her amusement the furnishing of her house. I knew this last really did amuse her and tended to divert her mind from any gloomy reflections which the awful character of her complaint might have given rise to. With none of these was she ever troubled a moment always expressing her conviction that she would either recover after a long illness or die without pain from debility. This furniture is nearly all new and cannot, much as I wish it, be disposed of im-

mediately. It may remain until I return (if indeed I should recover strength to go) from Louisiana and converse with one who possesses a mind stronger than my own. Mr Preston[168] who with Mazureau[169] is employed in my suits wrote me that one of them might come on in November. Could you write to him if you mean to go down to have it put off until you arrive. If my health will permit me to embark I think I shall sail on the 15 or 20 of next month which delay will give me to hear from you if you write immediately on the receipt of this. I am too rheumatic and weak to bear the motion of the stage. If you go down it would be well in case any difficulties might be offered to the Will to take Mrs. Harts power of Attorney. I hope she will not reject the confidence her daughter my dear departed wife has placed in me in giving me the use and distribution of my property during my short life. But really I have scarcely read this will and am now too unwell to do so.

I have written this letter my dear friend with great pain & fear you can scarcely read it. My sixty five years are now equal to one hundred.

Give my love to my poor suffering mother & sisters. Poor Henry Clay who had learned last summer to love his Aunt invites me to love affliction. Indeed all who knew her loved but none so much as

Your friend

JAMES BROWN

Henry Clay Esq

Phil'a Nov'r 18th, 1830

My dear Sir,

I have had the pleasure since I last wrote you to receive two very kind letters from you and I am doubly sensible to the interest my kind friends everywhere take in my irreparable loss. It has impaired my health and so distracted my thoughts as to render me indifferent to all but my affection to my own family and the dear family with whom I am connected. Although death

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[168] Isaac Trimble Preston was born in Virginia in 1793, and died at Lake Pontchartrain, Louisiana, July 5, 1852. He graduated at Yale in 1812; studied law at Litchfield Law School, but resigned his legal studies to become captain of a volunteer company in 1813; and in 1816 resumed his legal studies in the office of William Wirt. He then moved to New Orleans where he practiced with success. At the time of his death he was a judge of the supreme court of Louisiana. He died as a result of a steamboat disaster.—Appleton, *Cyclopaedia of American Biography*, V, 116.

[169] Etienne Mazureau was one of the outstanding lawyers of New Orleans at this date.

has torn asunder the cord which in the opinion of the world bound us together, yet I can safely affirm that I love my poor afflicted mother as I did my own, and that my own sister is not dearer to me than Mrs. Clay and Mrs. Price. I adopted all the affections and attachments of my ever to be lamented wife, and since her death those who have had her love are dearer to my heart than ever. My letters to them would have been more frequent but I can scarcely yet sufficiently command my feelings to permit me to write. Not that I turn from the dear object of my everlasting regrets as painful to me. On the contrary I can think of nothing else—and all the enjoyment I feel is derived from the constant contemplation of her excellences, of her pure and happy life and her serene and easy exit from this world to one where neither sickness nor sorrow can be felt.

I am afraid in moments of my deep distress I may indiscretely have suggested your trip to New Orleans and that I may have, from your overflowing goodness of heart deranged your plans for the winter. I had forgotten that you had informed me that Ann would spend the winter with you at Ashland, and I fear it may be disagreeable as well as inconvenient for you to descend to New Orleans. Besides the vile noise which is sent after you wherever you travel may be unpleasant to your feelings and perhaps prejudicial to your popularity. I beg of you therefore not to make any serious sacrifice for my accomodation, but to postpone or abandon your visit if inconvenient to you. It is really hard that individuals before the public who have not met for years and one of whom has not a single political wish or object, cannot meet on matters of business or friendship without exciting an outcry against them.

I know nothing about politics generally and still less if possible about the state of party in New York. It is said however by your friends here that had a few days more elapsed before the last election the result would have been different. It is said a union was rapidly going on between the Antimasons and Masons and that this would have been soon so extensive as to have insured the election. Mr Johnston has written to Granger[170] on this sub-

[170] Francis Granger was born in Connecticut, December 1, 1792, and died in New York, August 28, 1868. He graduated at Yale in 1811; moved with his father to Canandaigua in 1814, where he became a member of the Ontario bar; served four years in the New York legislature; ran for governor twice, and for Vice President in 1836 with Harrison; was elected to Congress in 1838; became Postmaster General under Harrison, but resigned sometime after Tyler went into office; was elected to Congress for one term, but refused to stand for reelection; was a member of the Peace Convention in 1861; and was an outstanding leader in politics and in friendships.—Appleton, *Cyclopaedia of American Biography*, II, 705-706.

ject as I have heard, and hopes that the Masons who have been but too tenacious of a secret society which has no longer any secrets, will join their opponents on general and interesting questions. For my own part I wonder how any one can wish now to be a Candidate for the office of P. and sincerely wish you could avoid coming before the people. You have had enough of honors, and God knows enough of abuse, and with your interesting family might enjoy all the happiness of which our frail nature is susceptable in retirement. Besides I have always believed that the present incumbent would be reelected although he may have lost some of his popularity.

I had hoped to sail on the 22nd. but feel my health too delicate to leave until the 1st. I shall then be in time to write you all on my arrival. I expect Mrs. Phillips here to take charge of my Niece until the Spring. After that time she intends residing with her Cousin Mary La Roche.[171] She will write to Mrs Clay soon.

I pray you to give my love to all my relations and to believe that I am always very sincerely

Your friend

JAMES BROWN

Henry Clay Esq'r

P. June 2nd, 1831

My dear Sir

I arrived on the 10th. day after leaving you and find my health greatly improved by a ride of three days and a half without sleeping in a stage across the mountains. My niece has not enjoyed good health since the loss of her Aunt. The shock she received by that unexpected event, and the efforts she made to do every thing for me during my wretched and prostrate condition proved too severe for her strength and although she is cheerful yet there is a wonderful change in her appearance and state of health. I propose to join some party going to the sea shore and try the effect of sea bathing and sea air. I loved her father perhaps more than any other man, and she has wound

[171] Mary La Roche must have been a sister (or at least a relative) of René La Roche (1795-1872), the son of the famous French physician of the same name (1755-1819). He graduated at Montpellier in 1799, and practiced in Santo Domingo until the insurrection there, when he came to Philadelphia, where he cared for the French families. His son was a physician for fifty years. He was not only a leading physician, but one of the most active members of the Hypo Lambda Association of the United States.—Kelly and Burrage, *Dictionary of American Medical Biography*, 720-721.

herself around my heart by her conduct on the late melancholly occasion. Henry Hart has just left us. He is ordered to the Pacific in the Potomac and will be absent for two years. He is as astonishingly improved in mind manners and appearance. He feels confident he could now go through his examinations with credit. I have great hopes of him.

Your friends here are active and sanguine. They believe that if you can obtain a respectable majority at the August election in your own state that your election will be certain. They however all doubt of your success there and know that you will have to contend with many, and as some think, insurmountable difficulties. The majority they think wish the downfall of the Adm'n but some wish it on your behalf, others to promote the election of Calhoun others of Webster, and a few of McLean. The friends of all those would wish you put Hors de combat in your own state (for they consider a defeat there as fatal to your hopes) and then each would hope that your supporters would join their ranks. This is what I hear. You know how little I interfere and how far aloof I stand from the means of information. My opinion as to the result is not changed. Jackson will take milder men into his Cabinet. They will adopt milder means of carrying on the Government, and he will have the mass on his side. The upper stratum of society seems to have changed, but the granite substratum, is in his power, and is, in this State, innumerable. Such is my opinion. Take it for what it is worth.

My dear Nancy about a year ago disposed of a small sum among some of her relations through you and intended to continue it. Have the goodness to draw on me for five hundred dollars and divide it according to her then expressed wish. It is my sincere desire that as she will live in the memory of her dear relations, so the small favors she would have conferred if alive shall be more than continued to them. I had a thought of giving up housekeeping and boarding not in order to economise, but I cannot dispose of my furniture without a sacrifice and my poor Niece is without a home and my pride and affection revolt at the idea of placing her in a common boarding house. She is pale, and has lost much of her beauty but still so much admired for her fine mind and discreet manners, and will, I hope soon make a happy arrangement for life although there is at this time no

immediate prospect of it. She may come out with me in Autumn and spend some time with you on our way to N. Orleans. I wish you would speak to Trimbles son in law Davis and send me such power of Attorney as would enable you in my name to confirm Trimbles sales on my behalf. Davis wrote me that he could recover land belonging to me to the amount of 260 Dollars. If it can be had give it to Eliza Alexander. You are so near the state and take so much pleasure in being kind to our connexions that you will do this for me if it can be done.

I wish Nannette had come on with me and could pass the summer with Susan at the sea shore at New Port Rhode Island. If she could come I would go with them there or to any healthy retired place.

Give my love to Mrs. Clay and all my friends

J. B.

Henry Clay Esq

My dear Mrs. Smith,

I wrote a letter to Mr Clay which I hope you will please send him. I hope your dear Eliza has recovered and is doing well. Mr Clays letter will tell you all about me in May read it but do not communicate it to any one.

Your aff'te Uncle

JAMES BROWN

Phil'a June 3rd 1831

Phil'a July 29, 1831

My dear Sir,

I had the pleasure of receiving your letter of the 14 Ulto. since which time the sickness of my Niece who has been for nearly five weeks in her bed has occupied all my thoughts to the exclusion of my usual Correspondence with my friends. She is now so far recovered as to be able to go to Bristol where I left her with the family of her Cousins Doctor La Roche Mr Ware and their families. Escaped from the excessive heat of this City I have now every reason to hope for her entire recovery. My own health has much improved since my return. The warmest climate suits me best.

If reports are to be believed the climate of Kentucky will be warm during the dog days of your coming election. All parties here look to the result there as settling the question whether you are to be left out or held up as a Candidate. It is said here that the late developments have made many changes particularly in the higher ranks of society unfavorable to the administration, but I cannot learn that the changes are decidedly in your favor. Some wish that the new Candidate should have once been a Jackson man believing that in that event he would be more indulgent to their power and present opinions. I doubt whether any very extensive change of *popular* opinion has yet taken place in this steady State. My notions are formed on the conduct of the leaders many of whom speak freely as I am told in private against the measures of administration and yet avow themselves its friends in all public assemblies. This course is derived from a conviction that the mass remains true to its first attachment. But you know how little wish or opportunity I have had to become acquainted with this subject. Your political friends have no doubt given you better information than I possess.

I fear Johnston[172] has placed himself in an unpleasant position. His letter to Blair[173] I presume was like that to Berrien[174] intended to be Confidential and has been made use of without his wish or consent. The present Cabinet is composed of men of distinction and talents and may perhaps give a wiser direction to public measures.

I hear that the sugar crops do not promise well in Louisiana. The planters must have better prices or all the new Plantations

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[172] Likely he here refers to Richard M. Johnson who was born in Kentucky, October 17, 1781, and died there, November 19, 1850. He was educated at Transylvania University; studied law; entered the state legislature in 1804; went to Congress in 1807 and served until 1819 with the exception of a few months; took a leading part in the Battle of the Thames; was in the Senate from 1819 to 1829; served in the House from 1829 to 1837; was Vice President from 1837 to 1841; and when he died he was a member of the legislature of Kentucky.—Appleton, *Cyclopaedia of American Biography*, III, 443-444.

[173] Francis Preston Blair was born in Virginia, April 12, 1791, and died in Maryland, October 18, 1876. He was educated at Transylvania University; worked for the election of Clay in 1824, but in 1828 was for Jackson; set up the *Journal* in Washington, which was superseded by the *Globe* as the organ of the Democratic party until 1845; helped organize the Republican party, 1854-1856; was a leader in nominating Lincoln in 1860; his efforts in 1864 in behalf of peace led to the Peace Conference of February, 1865; and he split with the Republicans over Reconstruction.—Appleton, *Cyclopaedia of American Biography*, I, 280-281.

[174] John McPherson Berrien was born in New Jersey, August 23, 1781, and died in Georgia, January 1, 1856. He graduated at Princeton in 1796; was admitted to the Georgia bar at the age of eighteen and made a wonderful success in his profession; was solicitor for the eastern district of Georgia, 1809; was judge of the same district, 1810-1821; was in the Georgia senate, 1822-1823; in the United States Senate, 1825-1829 and 1840-1852; Attorney General, 1829-1831; and was a member of the convention of 1844 that nominated Clay for the Presidency.—Appleton, *Cyclopaedia of American Biography*, I, 249.

will go down. I cannot think the West India planters can sustain themselves long on the present prices. Many of them are returning to the cultivation of Coffee.

We were alarmed by seeing in the public papers a statement that you were dangerously sick. The last account from you has contradicted it. I beg of you to take care of your health and life. Upon you many of our bereaved connexions as well as your immediate family depend for their happiness. I am far from them and cannot expect long to survive my irreparable loss. Prepare yourself to bear defeat—and make up your mind to perform the duties and relish the enjoyments of domestic life. You have many resources in your amiable family, and these will be increased by the pleasure you will have in launching into life your Henry who I feel confident will do honor to all connected with him.

I shall spend my time between Bristol and this City. Make my kindest salutations to all my dear connections and believe me always

Your friend

JAMES BROWN

Hon. Henry Clay

Phil'a Oct'r 2, 1831

My dear Sir,

I feel mortified at having so long witheld an answer to your kind letter written soon after your last elections. The health of my Niece has been so bad as to oblige me to spend five weeks at Bristol and to devote every day since my return to the object of her recovery. She is now able to take exercise daily and I hope she may now reckon on a steady and gradual resumption of strength. Her precarious state and the recollections of past and lost happiness have so depressed my spirits as to leave me too irresolute to attend as I ought to do to the duties I owe to my friends.

I am happy to find that you bear what I always predicted, with suitable resolution, and I ever hope that the loss of the Presidency would eventuate as it respects yourself in the gain of more substantial advantages than can be expected in the palace at Washington. The nomination of your friend Wirt has astonished

every one here, not less than the Antimasonic frienzy of Adams and Rush. It is not improbable that this strange excitement may carry with it Vermont Massachusetts New Jersey and even Pennsylvania. Some think that Virginia may also vote for Mr Wirt. The leading Virginians who are members of the Anti Tariff Convention would prefer Calhoun could they believe that his Nullification doctrines could be rendered palatable in that State.

Berrien is here and appears much delighted by the constant attacks in the Globe and other Jackson papers. The Convention has appointed Barbour to preside and a Committee of two from each State has been raised to prepare materials for discussion. Some persons think that much discussion may grow out of the proceedings of this meeting. The delegates from the South wish to discuss the question of the constitutionality of the Tariff. The Northern members are opposed to raising the question. Forty members from Virginia are in attendance.

I have made enquiry for a place in a Commercial House to place your son. Few Merchants here are doing business here on an extensive scale. I mentioned the subject to General Scott[175] who is really your friend and who thinks a place could be obtained in some large importing house at New York. If you could write to your old friend J. J. Astor[176] he would be able and willing to be servicable to you. What is Henry doing: Gen'l Scott expected him to return and study law in New York.

Do you descend the river this year. If you do perhaps I may go out and accompany you. If not I think I shall sail for New Orleans in Decr. The voyage by sea fatigues me less than going by the river. My affairs will compel me to go then although at my time of life these long and perilous journies have no charms for me.

Many persons here have expressed a curiosity to know whether you wished to enter the Senate. The next winter it is said will be one of much agitation in that body as it is believed

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[175] Winfield Scott was born in Virginia, June 13, 1786, and died at West Point, May 29, 1866. He was educated at William and Mary; was admitted to the bar in 1806, but entered the army as a captain in 1808; became an outstanding officer in the War of 1812; made a notable record for himself in the Mexican War; was general of the army when the Civil War broke out; and retired from the army, October 31, 1861.—Appleton, *Cyclopaedia of American Biography*, V, 440-442.

[176] John Jacob Astor was born in Germany, July 17, 1763, and died in New York, March 29, 1848. He migrated to Baltimore in 1783; met a furrier on the ship and worked for a Quaker furrier in New York so as to learn the trade; soon became a great fur trader; and left a fortune of $20,000,000.—Appleton, *Cyclopaedia of American Biography*, I, 112-113.

to be nearly equally divided for and against the Administration. In times like the present I see but few inducements if you study your interest or comfort to become a Member of Congress. The present Cabinet which seems to be better composed than the last gets on very well, and will probably hold together until more vacancies occur in the Supreme Court Bench. Judge Marshall is here and in bad health.

Give my solicitations to all my relatives

Your aff'e friend

JAMES BROWN

Henry Clay Esqr.

Phil'a Dec'r 2, 1831

My dear Sir

Mr Johnston has no doubt informed you of my intention to sail for New Orleans on the 8th. from the Port of New York. This journey has been postponed by the marriage of my Niece and now I fear the state of the mountains and river are such as to forbid a passage in that direction. At my age of 65 we become indolent and timid and I really embark with unfeigned abhorrence for the ocean. Indeed if I could be sure that Mr Erwin would pass the winter in N Orleans I might yet be tempted to remain until Feb'y and request him to act for me. If however I shall only be favored with what sailors call a *good offing* I shall soon be wafted to a milder sky and perhaps benefitted by the exchange.

It would give me pleasure to hear from you before my departure. I shall remain in N York until Thursday. Should I learn that Mr Erwing is in New Orleans I may yet postpone my voyage and pass a few weeks among my old friends at Washington. I hope your Session will be characterized by unusual harmony. The state of public affairs is gratifying and the condition of our finances such as will afford the means to remove Southern discontents unless they should be incurable.

My Niece is happily married to a young advocate with a fine person agreable temper and manners and such a standing at the law as gives promise of future distinction. They will occupy my house until my return when they remove to their own establishment.

The accounts of Mrs Clays health have given me deep concern. I hope she was better when you left her. My own health, although pronounced by my friends to be good, is known to myself to be bad. For the last twelve months the irregularity of my pulse which often stops during some seconds, and my shortness of breath convince me that I have a disease of the heart which must be fatal. I speak of it to no one, for why should I annoy my friends, and I consult no physician because I know my complaint is incurable. Should any affliction or embarrassment assail me and awaken too strong emotions, I shall make my departure like D. Clinton Harper and Emmett.

I shall not leave this before Tuesday so that a letter by return Mail will reach me. If after address to me at New York.

Give my Compl's to my old friend R. M. Johnston

Yours truly

JAMES BROWN

Hon. Henry Clay

Phil'a Dec'r 16, 1831

My dear Sir,

Since I last wrote you I have suffered much from an Influenza which has visited every member of the family. When well enough to get ready for my journey I went out to make some visits in the neighborhood and on descending Mrs. Elwyns steps I fell and bruised and cut my forehead in the most shocking manner, having room to apprehend serious consequences from a probable concussion of the brain. I have been bled very copiously and hope the danger has passed. My whole face is black and my arm much bruised in that I must be confined some time to my room. The season is now far advanced the weather so intensely cold, and the voyages within the last three weeks so full of peril that I am not certain of my departure before February. I have lent some money on notes which I have deposited in Bank at the City of N O. which may become due before I arrive and which may from the failure of the last crop require an extension of further indulgence to the borrowers. If it should not put Mr Erwin to too much trouble I would send him a power of Attorney to attend to these small matters. I would ask Humphreys but the management of the Estate of Kenners and of his

plantation leave him no time to serve his friends. What is Mr Erwins first name? Do you think the renewal of a few notes would give him such trouble as to interfere with his other pursuits?

I see you are in for the Presidential race. I fear the choice of the Vice President will not give much weight to the cause in this State although it has fallen on an able and worthy man. I hear that he is not very popular in this State. Have you seen Calhoun and what are his views? Will he be offered as a Candidate?

I hope Mrs. Clay is in good health and pleased with Washington

Yours truly

JAMES BROWN

Hon H Clay

Phil'a 20 Dcbr 1831

My dear Sir—

Will you have the goodness to Send me at Lexington, the last Message & accompanying documents. Some of them I have read & I wish to read & *preserve* them all.

I shall, today, Send Some forty or fifty of the X. Y. Z. pamphlets in relation to the Colonial Treaty, to Some of my acquaintances in Congress.

Our friends here Leave highly delighted with our Proceedings at Baltimore. We have planted our Standard on a granite rock and as for me, Sink or Swim—live or die, am Prepared to fight under it to the last. *But we must triumph.*

Yrs truly

LESLIE COMBS[177]

P.S. Mr. Brown is still here confined to his house by a fall on the ice. He sent me word yesterday that he wished to see me & I shall visit him today.

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[177] General Leslie Combs (1793-1881) was a distinguished soldier in the War of 1812, and in 1836 raised a regiment at his own expense to aid the Texans in their struggle for independence. He was a lawyer of commanding ability, and filled many offices in Kentucky, among them being service in the legislature and clerk of the state court of appeals. He was an eminent Whig and a trusted friend of Clay, in whose behalf he made many speeches in the campaign of 1844. He married Marie Elizabeth Brownwell.—*National Cyclopaedia of American Biography*, XIII, 309.

Phil'a Jany 24, 1832

My dear Sir,

It was my intention to have accompanied my friend Charles Ingersoll to Washington but found myself so much debilitated by a severe attack of dysentery as to be unable to bear the fatigue of the journey by land. Should the river open I may take that place on my way to Pittsburg and have the pleasure of remaining a few days among my old friends in the City. Indeed my desire is very great to see many of those with whom I have served in Congress and for whom I feel a strong attachment. Notwithstanding the changes which have taken place I believe a majority of the members of the houses are personally known by me, and in the number are very many for whom I feel a sincere esteem.

I hope that if you hear any thing from New Orleans you will keep me informed of it as my friends there expecting my arrival have desisted from writing to me. Our crops I am told are very bad. I have only made three hundred hogsheads and yet few planters in the State have made as much. The price will not greatly exceed that of last year.

I hope soon to hear from Mr Erwin to whom I have sent a power of attorney to act for me until my arrival. If I find it possible I shall be happy to avoid the journey this year as my health and age suggest that I ought to avoid exposure and fatigue. In 1834 the partnership between Humphreys and myself will expire and I wish to keep together for that time a sum of money sufficient should a sale be insisted on by him to prevent a sacrifice of the property by bidding it up to something like its value—*this is Confidence.*

I am sorry you have suffered by cold at the moment when your mind voice and lungs are likely to be taxed to the extent of their boundary. Haynes speech is thought to be able and would strike dismay into the hearts of the tariff men did they not hope that you and Webster would fully answer it. Your last speech gave very general satisfaction to your friends in this quarter as an opening speech but they wait impatiently for your great effort.

It is said here that the Telegraph and Journal are about to unite but we have not heard what Course they mean to pursue. The mass in this state are said to remain Jacksonian the leaders

are thought to be held to him by the tariff. Will Wirt[178] continue as a Candidate? If you negative Van Buren it will make a place for Dalas[179] or Wilkins[180] at London. But the numerous friends of Van think that his defeat would conduct him to the Presidency. Few here seem to think it would have that effect. I am so little of a politician and converse so little on the subject that I know not how things will eventuate.

I hope Mrs. Clay enjoys good health at Washington and goes out sometimes to parties. Give my love to her. Tell my good friend Johnston he must write me. If you meet Mr Calhoun remind of our intimacy and assure him of my esteem and friendly recollection of him. I did not suppose the French treaty would with any opposition

Yours truly

JAMES BROWN

Hon H Clay.

Phil'a March 25, 1832.

My dear Sir,

I have suffered so much ever since my visit to Washington by my old Complaint that I have been deterred from proceeding to New Orleans. I hoped before this to have received letters either from Mr Erwin or my Nephew which might possibly have relieved me from the voyage which feeling as I now do would be exceedingly painful if not impracticable. Have you heard from Mr Erwin lately and does he give you any news which could interest me?

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[178] William Wirt was born in Maryland, November 8, 1772, and died in Washington, February 18, 1834. He held many offices in Virginia; became Attorney General of the United States in 1817; was the Anti-Masonic candidate for the presidency in 1832; winning the seven votes of Vermont, and a popular vote of 33,108; and he was a writer of note, an orator, and an outstanding lawyer.—Appleton, *Cyclopaedia of American Biography*, VI, 578-579.

[179] George Mifflin Dallas was born in Philadelphia, July 10, 1792, and died there, December 31, 1864. He graduated at Princeton; studied law in the office of his brother and was admitted to the bar in 1813; was secretary to Gallatin when he went to Europe to make the treaty of peace at the close of the War of 1812; supported Jackson in 1824 and 1828; was mayor of Philadelphia in 1829, and attorney for the district of Pennsylvania in the same year; became Senator in 1831; was attorney general of Pennsylvania, 1833-1835; minister to Russia, 1837-1839; Vice President, 1845-1849; minister to England, 1856-1861; and was an outstanding attorney and noted speaker.—Appleton, *Cyclopaedia of American Biography*, II, 59.

[180] William Wilkins was born in Pennsylvania, December 20, 1779, and died there, June 23, 1865. He entered the legislature in 1820; was president judge of the fifth judicial district of Pennsylvania, 1820-1824, and became federal judge of the same district in 1824; was elected to Congress in 1828, but kept his judgeship; was elected Senator in 1831; supported Jackson; was made minister to Russia in 1834; served in the House of Representatives, 1843-1844; Secretary of War, 1844-1845; was a major-general of the home guard during the Civil War, although over eighty years old; and was a noted attorney and civic leader.—Appleton, *Cyclopaedia of American Biography*, VI, 510.

Our Bank Committee are now in Conclave and have resolved to accept no invitations until their business shall be finished. It is said all is right in the Bank and the report must be favourable. I hope so because I consider the Institution a valuable one at this time. I was at the Unitarian Meeting today and coming out found the two sides of Locust street lined with persons anxious to see Mr Adams on his leaving church, whether to have full proof of his connexion with that Hetrodox sect, or to admire the former President and the only man who can now save from ruin our sinking nation, is matter of conjecture. He appears to enjoy good health and spirits and may yet serve another term, if taken up by the Antitariff admirers.

I have requested Mr Erwin to remit to Mrs Hart and Mrs. Price one thousand dollars and shall order their groceries sent to them in the spring.

Cannot you and Mrs. Clay pay us a short visit here when you find a leisure moment The road to Baltimore is good and the Rail road from French town to Newcastle is now delightful. Your friends here would be glad to see you and we could give you a room in our house.

Mrs. Ingersoll is well and joins me in Compliments to Mrs. Clay.

I am Dear Sir very truly

Your friend

JAMES BROWN

Hon Henry Clay

Phil'a May 11, 1832

Dear Sir

I have just received a letter dated 25 Ulto from Mr Erwin to whom I am under great obligations for the kindness has evinced in attending to my affairs at New Orleans. I was unable to go from bad health and might have suffered some loss but for his timely assistance. He is before this time with his family in Kentucky.

I have long known Mr Johnston as one of your warmest friends and admirers. Have you not in the multiplicity of your occupations neglected to pay him & his lady your wonted atten-

tions? A friend gave me a hint to that effect and begged me to suggest it to you. I am sure you esteem these excellent friends of us both and could not have intended to neglect them. Mr Johnston never mentioned the subject to me.

Your report on the publick lands seems to find favor here and is generally acceptable. I hope you will pass the Bank Bill and modify the Tariff before you adjourn. I know the last is a difficult task and that S. C. will not be satisfied with any thing which the North can accept. North C. & Virginia will be more reasonable and if satisfied would keep the South in check.

Will Mrs Clay return this year to Kentucky? Had you not better pass July & August at the Sweet Springs in Virg'a? I have some thoughts of going there to cure my Rheumatism.

Give my Compliments to Mrs Clay

Yours very truly

J BROWN

Hon H Clay

Phil'a Sep't 3rd, 1832

My dear Sir

I have received with feelings of the deepest sorrow the intelligence of the decease of our lamented Mrs. Hart conveyed by your letter. I had resided for twelve months after my marriage under her hospitable roof during which time, and ever since, I received from her every proof of kindness and affection which could have been bestowed on me by my own mother. Alas how much, in many essential particulars, she resembled my dear Nancy and how soon she has followed her! I fondly trust that the beneficent father of the Universe who has during their lives bestowed on them so many blessings has graciously reunited them in the regions of everlasting bliss.

I have spent the last three weeks at Bristol to which place I went to escape the prevailing Epidemic. My niece with her husband passed the same period at Bedford Springs. We have both returned in tolerable health and unless the disease shall renew its ravages I shall remain here until the 10th. of October when I shall if my health permits proceed on my journey to New Orleans.

I can only say that great changes have been wrought in the politics of party. The influence of the opposition has been gaining and would if united under one banner be strong. The lines of division are yet strongly marked and Masonry and Antimasonry continue to be violent antagonists and apparently incapable of amalgamation. The election of Pricathal [?] has been a damper to the cause of the opposition in this state, notwithstanding the explinations of the causes leading that result.

Give my love to Mrs. Clay and to all my relations

Yours affectionately

JAMES BROWN

Hon Henry Clay

Phil'a Nov'r 5, 1832

Dear Sir,

I had the pleasure to receive by this Newspapers the intelligence of Henry's marriage and to learn by your last letter that his choice is every way agreeable to his family, and what is more important such as to promise him future happiness. Be so kind as to accept my congratulations on the event and to offer to the newly married pair my sincere wishes that they may enjoy a long life of Union and prosperity.

The intelligence of your death was accompanied, perhaps preceeded by its contradiction. I sincerely hope you may feel no serious consequences from your indisposition and that you may resume your seat in the Senate with a disposition to be satisfied with a place which I would have preferred to any within the reach of American ambition. You know that I have never for a moment doubted that General Jackson would be reelected. He will have a large majority in this state and I shall not be surprised should he be the choice of every State south of the Potomac and west of the Alleghany. If I have proved more generally correct in my calculations than many of our active politicians, it may be accounted for by the fact that I derive my information almost exclusively from my knowledge of the American tendencies, my acquaintance with nearly all the prominent actors on the political Theatre, and my perusal of the Journals; without entering into the busy scenes of active electioneering, by which my deliberate judgment might be warped, or conversing

with eloquent and heated partizans who might inflame my imagination.

The affairs of South Carolina rapidly approach their divorcement. Nullification will be tried and the result will be either concession on the part of the Tariff States, or Secession from the Union on the part of South Carolina and perhaps all the Anti Tariff States, or an appeal to force. The last alternative will I think be resisted by all the States opposed to the Tariff, and would terminate in a division of the Union. Some leading Virginians who have visited this place protest against any attempt to use force against South Carolina, and intimate that the Ancient Dominion would endeavor by her physical force to prevent it. Indeed nullification seems to be the offspring, perhaps a little distorted, of the Virginia doctrines; and she cannot perhaps be very severe upon its supporters. You may be surprized when I express my belief that the Anti Tariff States will before resorting to coertion begin to estimate the value of the Union and end with reducing the tariff so as to obtain acquiescence on the part of the South. Free trade is a favorite doctrine with a very considerable part in almost every State in the Union, and its friends will gain force and members when the question is made whether the duties shall be reduced, or the Union dissolved, or sustained by force. These are my opinions but may be worth but little as I take very small interest, and no part whatever in politicks.

In the early part of the Summer my health was very feeble and in order to recruit it, and to escape from the pestilence I fixed myself at Bristol. Low living and the uncommonly good state of the atmosphere, had a most happy effect on me and I returned in better health than I have enjoyed during the last two years. Since my return I have not been well and have had the misfortune by a false step to injure seriously my ancle already enfeebled by the long continuance of rheumatism. From this accident I may be a cripple for some time and compelled to go to New Orleans by sea a most uncomfortable thing with a diseased joint and rolling Ship. Indeed I have every reason to fear that on my arrival I shall find the cholera there in its most appalling shape and thus have a repetition of the scenes of distress which we have encountered here during the summer. The climate and configuration of Louisiana so much resemble those of India where the dreadful disease originated, that I feel much alarm for the

effects of it on our population. I anticipate much distress in the South and West. The Bank is decidedly unpopular in this state except in this city and in Pittsburg. This will be shown by the returns at the present election which will give an overwhelming majority for the President much of which may be considered as an approval of the veto message. It is probable however that a new Bank and numerous local Banks may be called into action and mitigate the evil.

I am sorry to hear that Mrs. Erving [Erwin] is obliged on account of the sickness of her child to decline her visit to New Orleans. She will be unhappy on his account should the cholera reach that city. Should my enfeebled frame be shipped to that place it would have been a great comfort to me to have enjoyed the pleasure of her society. Should any accident prevent me from leaving this city I may again trespass on Mr Ervings [Erwin] good nature and ask the favor of his attention to my business.

Present my affectionate remembrance to Mrs. Clay Doctor Pindell Mrs. Pierce and all my dear Connections and receive assurances of my attachment

JAMES BROWN

Hon. Henry Clay

Phil'a Feb'y 6, 1834

My dear Sir

I am under many obligations to you for the labor you have bestowed on my resistance of Mr Keene's obstinate and persevering persecution of me. Although I wish it had terminated yet I could not hope after I had seen the view you had of it after I met you in New Orleans that the defect of jurisdiction would escape the notice of the Supreme Court. I cannot imagine where he will begin next whether here or on my arrival in N. O. I must meet him if he comes on here by the deposition of Col'o Davis to whom he had agreed to pass the claim for the lot on the Batture for land on the Mississippi but who discovering from the acknowledgment of Keene & the papers he produced soon after my bargain that I was altogether irresponsible, and that he would be obliged to look to Livingston had declined the bargain.

A fresh question seems to have been presented by the President respecting the Pension fund. Are you not rather indiscreet

in your attack on the Attorney General?[181] I have always been informed that he is a gentleman of fine talents and unquestionable integrity.

The weather has been fine for the last three days and I now for the first time since the last five months have some hope that I may recover my health and live a few years longer. Your last dates here were from the 20 at N O. Will not real estate there experience a heavy decline in price? I have written to Humphreys to request a continuance of our partnership for another year until I can return.

The Jackson party will have a large meeting as they say in the room of the District Court in this City tonight. The names are not spoken of as standing very high as given in the list calling this meeting. Of this I know nothing as I have generally been confined to the house until the last two or three days.

You have a mass of talent in the Senate and if you can unite you may make some impression. But we have daily suggestions of the probability of some divisions in your ranks.

Give my compl's to Porter[182] and my other friends in the Senate. I am sorry to hear that Lucretia has been indisposed.

I am Dear Sir very sincerely

Your friend

JAMES BROWN

Hon Henry Clay

Phil'a July 24, 1834

My dear Sir:

The last news we had from you was your narrow escape from an overset on your way home. I am very anxious to hear of your safe arrival and of the state of Mrs. Clays health. Our

[181] Benjamin Franklin Butler was born in New York, December 14, 1795, and died in Paris, November 8, 1858. He obtained an education in the public schools and by his own efforts; was admitted to the bar and became the partner of Martin Van Buren; became district attorney in 1821; entered the legislature in 1828; declined a seat in the Senate in 1833; was Attorney General, 1833-1838; held also the position of Secretary of War, 1836-March 4, 1837; was United States district attorney for New York, 1838-1844; and was a noted student, thinker, lawyer and statesman.—*National Cyclopaedia of American Biography*, 1422.

[182] Alexander Porter was born in Ireland in 1786, and died in Louisiana, January 13, 1844. He emigrated to America with his uncle in 1801 and settled in Nashville, Tennessee; after studying law and being admitted to the bar he removed to Louisiana and located in the Attakapas district; served in the state constitutional convention of 1811-1812; was judge of the state supreme court, 1821-1833; succeeded Josiah S. Johnston in the Senate and served from December 9, 1833 to January 5, 1837, when he resigned; returned to his home and resumed the practice of law; was again elected to the Senate in 1843, but died before he was able to take his seat.—*Biographical Directory of Congress*, 1422.

last accounts respecting her although more favorable than former ones yet leaves us in some uneasiness respecting the result. I hope you will not fail to write me as soon as possible.

My own health is bad, and I have now little hope of an entire recovery from my long illness. My greatest concern proceeds from an alarming Virtigo always disabling me from moving except on foot, and even then with an unsteady step and constant apprehensions of falling. Having often made unsuccessful attempts to make short rides in a Carriage and being forced to descend from it after experiencing almost immediately the dangerous effects of it, I determined to make an experiment of a few hours in the steam boat but was after a short distance obliged to return and narrowly escaped by bleeding and blistering on the back of my neck and Shoulders. I have not yet entirely recovered from the effects of my short excursion. When I lye down I feel a fullness in the Arteries of my head and seem as it was much lower than my feet. In consequence of this deranged and painful sensation my sleep is short and uncomfortable. My life is alone preserved by constant and weakening abstenance. In a word my life is held by a thread and I am in constant apprehension of a renewed attack, the consequence of which would probably be either fatal or a loss of my remaining intellectual faculties. I have tolerable spirits and a perfect command of my appetite. I am obliged to abstain not only from wine and competent nourishment but what is more painful from reading and pursuing any serious train of thought. Even interesting conversation on political subjects bewilders me and I am forced to decline the meeting of any of my political friends.

The thought of my closing partnership with Humphreys disturbs me. What will I do imprisoned as I am in this city to settle that affair? You are the Executor of my dear departed wife and her family will own as well by her will as by my own the moiety of the half of the plantation & negroes which is owned by Humphreys and myself, together with the house and lot in the City of New Orleans. How shall the business be settled in the probable event of my inability to be in Louisiana? Humphreys as I told you, wishes that it shall be valued and that he would either purchase or permit us to purchase at the Valuation. I am willing to consent to any thing that you will think a reasonable mode of proposing an adjustment. I believe all the Representa-

tives of Mrs. Hart are now of age. My Brother would advise with you as to the portion to which I am entitled and which I mean to will to my own family. I can hardly think enough to devise any plan and I wish that you and he would advise me, in this embarrassing circumstance. Humphreys will probably be in this City in a few days and I will try to discover what will meet his views but I am not in a state of mind to bestow much thought on business and would do nothing without consulting you and my brother. Be so kind as to think for me. I know you are just and honorable and my kind friend. I am deeply indebted to Mr Erwin for his kind and truly satisfactory manner in which he has attended to my business in my Absence.

The Election here will be warm and Jackson will be in the Minority in the City & northern Suberbs. Southerland[183] may gain his election. He is indefatigable. I must stop here. It is the longest letter I have written since Eleven Months. I cannot see the lines in writing.

Give my aff'te Compl'ts to all my relations & reserve assurances of my affec regard

JAMES BROWN

Hon Henry Clay.

Phil'a Aug't 11, 1834

My dear Sir

I wrote you a few hasty lines yesterday to express to you my gratification for the interest you have taken in proposing a mode for the adjustment of the concern in the plantation in Louisiana and my perfect approbation of the plan of appointing you *jointly* with my brother to make the necessary disposition to close the concern with my Nephew Mr Humphreys. If Mr Humphreys can meet what you think reasonable the whole affair will be approved by me. I am in a state of health which prevents me from attending to any serious concerns and therefore must throw myself on the indulgence and kindness of my friends. I hardly suppose Mr Humphreys would wish the sale for cash

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[183] Joel Barlow Sutherland was born in New Jersey, February 26, 1792; graduated at the University of Pennsylvania in 1812; served in the War of 1812, and was lieutenant-colonel in the state militia in 1814; was in the state legislature, 1813-1816; in the state senate, 1816-1817; founded Jefferson Medical College at Philadelphia; abandoned medicine for law; was elected to Congress as a Jackson Democrat, and served from March 4, 1827 to March 3, 1837; was defeated on the Whig ticket in 1836; was associate justice of the court of common pleas of Philadelphia; retired and died in Philadelphia on November 15, 1861.—Appleton, *Cyclopaedia of American Biography*, VI, 2.

valued as it would be in the present depressed state of Louisiana property. I shall endeavor to have a power of Attorney drawn by Charles Ingersoll which if you find in any way defective may be altered on your suggestion. The tract containes Seventy acres *front* with a *depth* by Spanish concession of 40 acres and 40 more by a grant of the United States under an act of Congress. I have not been able to settle my account with Humphreys since I was in New Orleans, and even then the price of the portion of the land bought by him since my return from France to wit Eighteen thousand Dollars had not come into the account for the full amount. But John is an honorable man and will deal fairly with you. I would wish him to buy the place if the sacrifice would not be too great.

I enclose a letter to him from his wife who sent it expecting he might come by sea

Your friend

JAMES BROWN

Hon H'y Clay

Phil'a Aug't 20, 1834

My dear Sir

Mr Humphreys will leave me tomorrow I have not been able to do any thing to close our affair. I wish you had sent me a power of Attorney. I had one prepared for you and my brother prepared by Mr Ingersoll but a letter of my brother declines the agency and has assigned a sufficient reason for it. Mr Humphreys accounts for the last three years since I left N O are unsettled but he says he has placed the amount at different times to Mr Erwin. I have given in the power which I will inclose where I have made the change of the name. Mr Humphreys seems to think a great fall has taken place. I wish not to purchase if it can be avoided. If the land is sold on a credit I shall desire no personal benefit from the income either by the crop or interest on the money and as the money which has been placed by Mr Erwin will amount to a sum small enough when placed on interest to give me a support I must keep it to give me a small support and pay Mrs Prices annuity. I fear I shall not live long but I do not wish to be entirely in want. The notes of Duralde and Mr Erwin with three years interest which I gave to you through Mr Erwin are due and in my hands. I hope they may be secured for my

heirs and those of my wife. My will is made to divide any thing I may leave equally to both families. I wish Humphreys would buy if a too great sacrifice is not made and my remaining life left without a decent provision. I am greatly disturbed at the thought of any difficulty occuring in the quarter of my connexions. John will I hope act with strict justice as he has had all in his power and knows the wretched state of mind and body under which I have long labored. It is with the greatest difficulty that I can write think or move being now for twelve months a prisoner in the town and partly confined to my room My last five years have been filled with affliction. I fear they will continue with my life.

I hope Mrs Clay has recovered, and am with great Aff'on

Yours,

JAMES BROWN

Hon H Clay

Phil'a Aug't 22 1834

My dear Sir,

I send you a power of Attorney for yourself and Mason Brown as you suggested and beg of you to make the most of my Estate. You know in what it consists. What has been in Mr Erwins hands, with the 15,000 Dollars & interest, four thousand Dollars in Rail road Stocks, and the house in N Orleans, part of the joint Estate, is all I possess. I wish that Humphreys may be disposed at a reasonable price to buy out the joint concern as I am too old and infirm to meddle with the purchase of a plantation. I may possibly live some years and a purchase of Humphreys interest would exhaust my means of support, and give me a plantation which if badly managed would leave me without with a maintainance and perhaps in debt. Besides I have subscribed for 10,000 Dollars Stock payable hereafter in Instalments in the rail road from Fredecksburg to Richmond and may be forced to pay the demand of Keene. You know all this and will as my oldest and dearest friend not by any use of the power involve me in penury after all the labor and toil which it cost me, and the care it occasioned my dear wife to obtain what we possessed. I am glad that Mr Erwin thinks he has secured the note of Duralde with his mortgage. As Mr Erwin endorsed it I am glad he has tried

to secure it. I never looked after it or applied for the interest as I intended it should remain to be divided at my death unless I should be pressed by some engagement.

I have been very unwell for some days and am now very feeble in consequence of bleeding and cupping. I hope I may be relieved by the cool weather and shall write you as soon as I have strength.

Humphreys left yesterday

I can write as soon

Yours truly

JAMES BROWN

Hon Henry Clay

Phil'a Oct'r 3rd, 1834

My dear Sir

I have received two letters from you which my state of health has delayed me from answering, and at this moment after several days of confinement to my bed with the frequently recuring of bleeding cupping and other enfeebling remedies have hardly sufficient strength to write a few lines. You have my power of attorney which you have been so kind as to accept and I pray you to act as you think you would do were the case your own in conjunction with my dear Nephew in closing as well as you can my affairs. I regret the trouble will give you and him but in my present situation and in the state of my mind and health when John Humphreys made a short stay with me that I was wholly unable to attend to any business. When at New Orleans three years ago I settled with him and placed all I had there in notes in the Bank except the sum paid on the of fifteen thousand dollars for which I hold the notes of Mr D. & Mr E. and some notes uncollected there and since paid to Mr Erwin. These have been paid to Mr Erwin who has been so kind as to invest them as you will see by his account which also contains the account of the following crops except the last which amounted to eight thousand some odd dollars for which I have drawn on Mr Humphreys at 60 days. You will see that Mr Erwin can give the full statement of the amount of my settlement as made with Mr H at N. O. and also the sums paid to him as due on the crops since except that of last season which is covered by my Bill on H. I earnestly entreat

all may be adjusted amicably as I love equally all my relations and connections and wish to die in peace with them and all the world. I hope all will second me in this wish and that no difficulties may arise in the adjustment.

I believe to the best of my recollection that the diamonds cost (f 9,500) nine thousand five hundred francs, but I think I have heard that since the purchase some small depreciation of the value of that article has taken place but of this I am not certain. You may consult a Jeweller who may know their present value.

I rejoice to learn that Mrs. Clays health has improved and pray God that it may be perfectly reestablished. I hope to gain some strength in a few days and in that event I shall write you again.

I am truly sorry that I have been so long a bother to my kind relations and am impressed with the profoundest of gratitude to you for your long continued and unvarying kindness.

I am Dear Sir very sincerely

Your friend

JAMES BROWN

Hon Henry Clay

(Note in pencil on the letter:) "He left his wife's diamonds to Henry Clay's daughter, Mrs. Erwin."

Phil'a (April) 7th 1835

My dear Sir

I have received a letter of the 28 Inst from my brother in which he recommends my paying over my dear wifes proportion of the sale of the plantation & real estate & Negroes now in the hands of Mr Erwin to her heirs securing to that amount her proportion of the debts should any arise since the marriage and before her death. I mean her share of all they are entitled to under her Will. I believe my life will be short but in the event of my necessities owing to any unforseen accident I would hope to enjoy six per cent per Ann on her share to be received on the payment in lieu of my enjoyment of the property. I write with

difficulty—hereby authorize Mr Erwin to make that payment and arrangement as soon as convenient. If you approve it he has my power and I authorize you to give him instructions to that effect.

I am still in wretched health.

Yours truly

JAMES BROWN

Hon H Clay
Hon H'y Clay
Lexington Kentucky
John W. Hunt Esq'r
Lexington Kentucky
James Brown Esq

(Note on the envelope:) "7th Apr. 1835, the day of his death"[184]

[184] James Brown may have written this letter on the day of his death, but the person who inserted "April" may have been mistaken. Anyway he wrote it near the end of his life, and it may have been the last letter he ever wrote. Doubtless some member of the family wrote "April" on the letter.

RECORDS OF THE SUPERIOR COUNCIL OF LOUISIANA
LXXXIX.

April-May, 1763

(Continued from July, 1941, Quarterly)

By G. Lugano

Revised by Walter Prichard

By the Editor of the Quarterly

List of officials of Louisiana participating in the work of the Superior Council of Louisiana contained in this installment:

De Kerlérec, Louis Billouart, Chevalier, Governor

De Foucault, Nicolas Denis, acting Commissioner General of the Marine, and acting Intendant and First Judge of the Superior Council

De la Lande d'Apremont, Charles Marie, Councillor Assessor, and acting Procureur General

De Kernion, Jean Francois Huchet, Councillor Assessor

Lesassier, Charles, Councillor Assessor

Delaunay, Louis Alexandre Piot, Councillor Assessor

Chantalou, Augustin, Councillor Assessor

Fremeur, Councillor

Chatillon, Councillor

Broutin, Francois, Royal Notary and Clerk of the Superior Council

Garic, Jean Baptiste, Royal Notary and Chief Clerk of the Superior Council

Lenormand, Marin, Sheriff

Bary, Marin Pierre, Deputy Sheriff

Soubie, Jean, Secretary to Governor Kerlérec

Fazendé, Clerk of the Marine, and acting Commissioner and Judge at Mobile

Cernige, Sheriff at Mobile

Roujot, Clerk of the Court at Mobile

Benoist, Charles, Royal Notary and Clerk of the Court at Pointe Coupée

Devergés; De Reggio; Ducros: Clerks or secretaries of the Superior Council

April 4, 1763.

No. 8360. 2 pp.

Lease of a tract of land in Pointe Coupée, by Adrienne Houmard, widow of Jean Baptiste Lottiere, to Joseph Provost called Collet, for a term of seven years.

Before the Notary of Pointe Coupée personally appeared Adrienne Houmard, widow of the late Jean Baptiste Lottiere, a resident of this Post during his lifetime; which appearer, of her own free will, abandoned and does abandon, by these presents, for a term of seven consecutive years, to start from this day and to end on the same fourth day of the month of April of the year 1770, to Joseph Provost called Collet, inhabitant of this Post, who also appeared and signified his acceptance, a parcel of land situated between the property of the said Collet on one side and the property of Antoine Sarrazin on the other side, the whole belonging to her, the said transfer being made without any obligation on the part of said Collet to provide for the keeping in repair of the buildings, pens, and fences thereon, with the exception of the fence fronting the River, which he promised and obligated himself to keep in good order and also to keep in repair the roads and the bridge. The present agreement was made on condition that the said Madame widow Lottiere give to said Collette eighteen cows, four heifers and one bull; and that the increase arising from the cows and heifers be divided in equal shares between the two contracting parties, during the term of the present lease; nevertheless, said Collet will not be responsible for the death of any of the said cattle, which loss, should there be any, shall be borne entirely by said Madame widow Lottiere. Collet promised also to furnish Madame Lottiere with two milch cows, to be substituted whenever one of them or both should be without milk; and this clause shall be valid for all the term of the present lease. Collet promised also to furnish the said Madame Lottiere with a portion of land of size sufficient for three persons to work, the whole to be amicably arranged by the contracting parties.

Done and passed at the said Post of Pointe Coupée, on April 4, 1763, in the afternoon, in the presence of Sieurs Pierre Ricard and Em Roujot, duly qualified witnesses.

(Signed): Collete; Ricard; Roujot; Benoist, Notary.

Madame widow Lottiere declared that she could neither write nor sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

April 4.

No. 8361. 2 pp.

Statement of cost of food and wages for six men for fifteen days for making a raft, paid by Delille.

Statement relating to expenses paid by Sr. Delille for food and wages of six men employed for fifteen days to make a raft composed of three hundred logs, each one ten feet long:

260 lbs. of meat at 20 sols, livres:	260	—	—
One barrel of rice:	100	—	—
One half quarter of grits:	50	—	—
One poids of oil:	20	—	—
Paid to Bichet for 15 days' work:	130	—	—
Do. to Moranci:	130	—	—
Do. to Guion:	97–10	—	
Do. to Dufour:	100	—	—
Do. to Crochet:	60	—	—
Also 13 days' work of a negro:	130	—	—
	1077–10	—	

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, in the presence of the witnesses hereinbelow mentioned and undersigned, appeared: Michel Bichet, Joseph Moranci, Francois Guion, Nicolas Dufour and Jean Crochet, all traveling laborers, who declared that they had knowledge of the expenses presented by Sr. Delille in this statement, which were incurred while they were employed to make a raft of logs for Sieur Lasaigne, residing at the German Coast; said appearers also stated that they had received the sums due to them and set forth in the present statement, and for which they acquitted Sr. Delille; and that Sr. Delille had also supplied the labor of a negro for thirteen days.

Done and passed in the Notarial Office of this city on April 4, 1763, in the afternoon, in the presence of Sieurs Marin Bary and Antoine Foucher, duly qualified witnesses.

(Signed): Moransy; N. Dufour; Bary; Foucher; Broutin, Notary.

Bichet, Guion and Crochet declared that they could neither write nor sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

April 4.

2 pp.

Petition of Jean Roy to Foucault, seeking payment of 200 livres from Simon Gremaut for lock and key to an armoire.

Petition to Monsieur Foucault, Commissioner of the Marine and Intendant of Louisiana:

Jean Roy, locksmith in this city, humbly prays and represents that he sold to Simon Gremaut one armoire lock for the price of 200 livres, without any term of payment; that he had repeatedly asked said Gremaut for payment and the latter refused to settle his indebtedness, saying that he

would give back the lock; and petitioner claims that to take it back, at the present time, would be against his interest; that upon consideration, Monsieur, may it please You to allow the petitioner to have said Gremaut summoned before the Council, at its first session, and that judgment be rendered against him condemning him to pay the petitioner, without delay, the specified sum of 200 livres, as per agreement; and costs. And You will render justice.

New Orleans, April 4, 1763. (Signed): Jean Roy.

Permit granted.

April 4, 1763.—Permit to summon at the first session of the Council. New Orleans, April 4, 1763. (Signed): Foucault.

Citation served.

April 9, 1763.—Notice of citation served by Marin Lenormand, Sheriff, upon Simon Grenot, at his domicile, to appear before the Superior Council, on Saturday, 16th of the present month. New Orleans, April 9, 1763. (Signed): Lenormand.

April 4.

2 pp.

Petition of Jean Roy to Foucault, seeking payment of 143 livres from Jean Villeneuve for blacksmith work.

Petition to Monsieur Foucault, Commissioner of the Marine, Intendant of Louisiana:

Jean Roy, blacksmith in this city, humbly prays and represents that the sum of 143 livres is due the petitioner by Jean Villeneuve, ship carpenter, for work done to the schooner, belonging to Sieur St. Martin, which boat was shipwrecked in this port and sold to a merchant of this city on conditions unknown to petitioner, who is referred first to one person and then to another, and is tired of being made a laughing-stock by said Villeneuve, on whose order he did the work.

This considered, Monsieur, may it please You to allow the petitioner to summon said Villeneuve before the Superior Council at its first session, and that judgment be rendered against him directing him to pay the petitioner, without delay, the above stated sum of 143 livres; and to costs. And you will do justice.

New Orleans, April 4, 1763. (Signed): Jean Roy.

Permit granted.

April 4, 1763.—Permit to summon before the Superior Council at its first session. New Orleans, April 4, 1763. (Signed): Foucault.

Citation served.

April 8, 1763.—Notice of citation served on April 8th by the Sheriff of the Superior Council on Jean Villeneuve to appear before the Council on Saturday, April 16th. (Signed): Lenormand.

April 5.

3 pp.

Letter of Braud and Caresse to Garic, Clerk of the Superior Council, concerning an error made by them as arbitrators in a case between Derneville and Perdriau.

Sir: I discover now that Mr. Braud and myself have made a clerical error in the conclusion of the decision rendered in the arbitration between Messrs. Derneville and Perdriau, by allowing Mr. Perdriau the interest on the interest to be calculated from the first of April until the day of payment; this does not seem just to us, as our intention was that the interest from the 7th of April last should be calculated on the settlement of accounts, which forms the first capital of 2292 livres and 5 sols, and not on the sum of 3162 livres, 3 sols and 2 deniers, which sum resulted from the interest due up to the said 7th of April added to the first capital and represented the indebtedness of Mr. Perdriau; we beg you, Monsieur, to be kind enough to make known to the Council the observations we present here.

We have the honor to be, Sir, your very humble and obedient servants. New Orleans, April 5, 1763. (Signed): D. Caresse; D. Braud.

April 9.

2 pp.

Release granted by Francois Gerard to Laflaud, resident of Mobile.

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, in the presence of the witnesses hereinbelow mentioned and undersigned, appeared Francois Gerard, who acknowledged, declared and confessed, by these presents, to have received this day in cash, in the presence of the undersigned Notary, from Sieur Louis Carriere, acting in behalf of Sieur Laflaud, who is presently in Mobile, where he resides, the sum of 600 livres in colonial currency, that Sieur Laflaud had given to Sr. Carriere so that the latter might turn the same over to said Girard in full payment for a house, situated in Mobile, that said Laflaud purchased from said Girard, who acquitted and discharged Laflaud for the said sum of 600 livres, and promised to have him also released towards and against whomsoever else it may concern.

Done and passed in the Notarial Office of this city on April 9, 1763, in the morning. Witnesses: Sieurs Marin Bary and Antoine Foucher.

(Signed): Bary; Francois Girard; Foucher; Broutin, Notary.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

April 9.

½ p.

Procuration by Simon Grenot to St. Eloy.

I, Simon Grenot, under my private signature, do grant full power to Sieur St. Eloy to file my answer with the Council in regard to the citation of Charles Roy concerning a lock; and I approve all that Sieur St. Eloy does.

At New Orleans, April 9, 1763.

Hereinabove writing approved. (Signed): Simon Grenot.

April 11.

2 pp.

Petition to the Superior Council by Marie Francoise Drouillos for collection of 2200 livres due by Dupont and wife on a note.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Marie Francoise Drouillos humbly prays and represents that Sieur Dupont and his wife owe her the sum of 2200 livres, according to their note of May 7, 1762, the payment whereof she has never been able to obtain despite numerous demands.

Wherefore petitioner prays for permit to summon the said Sieur Dupont and his wife before the Superior Council, at its first session, and that judgment might be rendered condemning them to pay the petitioner the said sum, and costs; and justice will be done.

New Orleans, April 11, 1763. Mark X of Marie Francoise Drouillos.

Permit to cite.

April 11, 1763.—Permit to summon before the Council at its first session. New Orleans, April 11, 1763. (Signed): Foucault.

Citation served.

April 12, 1763.—Notice of citation served on April 12, 1763, by the Sheriff of the Superior Council on Sieur and Madame Dupont to appear before the Council on Saturday, April 16th. (Signed): Lenormand.

April 13.

4 pp.

Petition of Madame De La Brosse Azemare to Foucault, for specific performance of contract of sale of timber with Flottemainville; and, in default of same, for award of damages.

Petition to Monsieur Foucault, Intendant of Louisiana, First Judge of the Superior Council of this Province:

Madame De La Brosse Azemare, inhabitant of this city, humbly prays and represents that she purchased from Sieur Flottemainville three hundred pieces of timber; ten feet long, to be taken from the plantation of Sieur Laseigne, inhabitant of the German Coast, and also one hundred and fourteen pieces of same kind of timber to be taken from the plantation of the said Sr. Flottemainville, for

the whole of which the petitioner paid the price of 8000 livres agreed upon; that herewith annexed are the contract of sale made by the said Laseigne to Sr. Laporte and the contract for transportation concerning the delivery of said timber by Laporte to Sr. Flottemainville, there being missing only the contract between petitioner and Sr. Flottemainville, which contract the petitioner was unable to secure despite all her demands upon Sr. Flottemainville; that all the petitioner had to prove her claim was a receipt of said Sr. Flottemainville, in which he states having received, for the price of the said four hundred and fourteen pieces of timber, the sum of 8000 livres, which document is now misplaced or lost; it is at this point, therefore, that the honesty of Sr. Flottemainville will be put to the test;

That the petitioner repaired to the plantation of said Laseigne, with six men, for the purpose of making a raft of said timber, and, after having undergone this expense, the statement whereof is hereto attached, the said Laseigne objected to petitioner taking the timber, urging that the damaged pieces should be taken together with the good ones; furthermore, instead of the three hundred pieces, that were supposed to be found there, only two hundred pieces were found, one half of which were damaged; whereupon the petitioner made a declaration to this effect in the Registry on the 4th of the present month, a copy of which is herewith annexed;

That, of the one hundred and fourteen pieces of timber referred to above, which were to be taken on the said Flottemainville's plantation, only seventy were found; that the failure to obtain the said timber had caused considerable damage to petitioner, whose lumber mill was forced to one month's delay in its work.

All this considered, the petitioner prays to be allowed to summon the said Sieur Flottemainville before the Superior Council, and that judgment be rendered condemning him to deliver to petitioner three hundred pieces of timber, each ten feet long, within ten days; or, in default whereof, to pay at once to the petitioner the sum of 8000 livres, except deduction of the amount relating to the timber taken on his plantation; and besides, to indemnify petitioner for the damages resulting from the delay in the work of her mill; to reimburse the expense made by petitioner in the amount of 1017 livres and 10 sols, as per attached statement. And to pay all other costs. And you will render justice. New Orleans, April 13, 1763. (Signed): Azemare.

Permit to cite.

April 13, 1763.—Permit to cite at the first session of the Council. April 13, 1763. (Signed): Foucault.

Citation served.

April 26, 1763.—Notice of citation served by the Sheriff of the Superior Council upon Sieur de Flottemenville, to appear before the Court on Saturday, May first. (Signed): Lenormand.

April 13.

No. 8368. 4 pp.

Loan of 40,000 livres in colonial currency, payable in livres Tournois, by Guillaume Roussillon to Jean Dominique Bunel, secured by general mortgage on all property of Bunel, one negro excepted.

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Sieur Jean Dominique Bunel, merchant goldsmith of this city, who stated that being daily beset and persecuted by his creditors, who threaten unceasingly to file suit, and some of them have already done so, with the object in view of forcing him to settle his debts by seizure and sale of his house and all his other holdings; that litigation would put him to expense and would bring about his utter ruin, when it is considered that the price realized on his house and slaves would be far insufficient to pay his debts, on account of the values now prevailing in this colony, of both movable and immovable property, in consequence of the scarcity of specie and of buyers, and because of the sudden and considerable changes brought on by the unexpected news of peace.

For all these reasons he had recourse, under these grievous circumstances, to Sieur Guillaume Roussillon, Surgeon in this city, and begged him to lend him the sum of 40,000 livres; and Sieur Roussillon agreed to lend him, and in reality lent him, the said sum of 40,000 livres on the following conditions, namely: that said Sr. Bunel shall pay back and reimburse him the sum of 20,000 livres Tournois, to be accepted by him in settlement of the whole obligation, the said payment to be effected within the term of eighteen months from date, in silver piastres at the rate of five livres Tournois for one silver piastre, making a total of 4000 silver piastres; that Sr. Bunel shall also pay to Sr. Roussillon the interest on the specified sum of 20,000 livres, at the rate of five per cent, according to the King's decree, this payment also to be made in the same specie and within the aforesaid term of eighteen months; which agreement was accepted by the two contracting parties by these presents, in consequence whereof Sieur Roussillon has presently lent, given, counted, numbered and delivered to Sieur Bunel, who acknowledged, confessed and signified his satisfaction, the abovementioned sum of 40,000 livres in notes of the Royal Treasury of this city, currency of this colony, to be used by Sr. Bunel for the settlement of his debts, as hereinbefore set forth; and Sr. Bunel promised and obligated himself to pay back and deliver, within eighteen months, to Sr. Roussillon or to his attorney in this city the sum of 20,000

livres Tournois in silver piastres, at the rate of five livres per piastre, as well as the interest on said principal of 20,000 livres, in the same specie and in the same term, such payment being made for the whole sum of 40,000 livres above specified, that was presently lent in colonial currency; and Sieur Roussillon, for reasons best known to himself, granted a full and complete release, in behalf of Sieur Bunel, of the other 20,000 livres, in consideration of the payment in different specie, expressly waiving and renouncing, in this respect, all laws and customs that might give him the right to claim the remaining 20,000 livres; which stipulations and conditions Sieur Bunel bound himself strictly to execute, no matter under what power and dominion this colony might happen to fall, renouncing, for this purpose, all possibilities that might arise in his favor that would permit him to invalidate the said clauses and conditions; in security whereof Sr. Bunel granted a mortgage on all his movable and immovable property, and specifically on the abovementioned house of his, together with the ground on which it stands, situated in this city, on Bourbon Street, and measuring sixty feet front by a depth of one hundred and nine feet, adjoining on one side the property of Marin Lenormand, Sheriff, and on the other side the property of Bunel himself; which house and ground were declared free, clear and exempt from all encumbrances, debts and mortgages, up to the present time; his negro, named Jacob, a goldsmith, being the only property excluded from the above general mortgage. As far as the execution of these presents is concerned, Sieur Bunel has taken up his irrevocable domicile in his abovementioned house, where he consented that all acts necessary for the fulfillment of these presents be passed and served.

Executed in the said residence of Sieur Bunel in this city on April 13, 1763, in the morning, in the presence of Sieurs Francois Caminada and Antoine Foucher, duly qualified witnesses.

(Signed): Roussillon; Bunel; Foucher; Caminada, witness; Broutin, Notary.

Roussillon's release to Gardrat, acting for the Bunel minors.

April 5, 1765.—I have received from Monsieur Gardrat, attorney for the Bunel minors, the sum of 40,000 livres set forth in the above act of mortgage, for which sum I do release him and whomsoever else it may concern. New Orleans, April 5, 1765. (Signed): Roussillon.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

April 14.

No. 8369. 3 pp.

Sale by Jean Jacques Corail to Francois Braquier of a vessel named "La Notre Dame De La Conception" for 6000 livres.

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, personally appeared Sieur Jean Jacques Corail, master of the vessel named "La Notre Dame De La Conception", who is at present a resident of this city, and who, by these presents, acknowledged and confessed to have this day sold, conveyed and delivered from this time and forever, with warranty against all troubles, encumbrances, debts, mortgages and any other obstacle, impediment or opposition, to Sieur Francois Braquier, Officer of the Militia and merchant of this city, who also appeared and signified his acceptance for himself and in behalf of his heirs and assigns, the said vessel named "La Notre Dame De La Conception", at present moored at the city wharf, of seventy tons displacement, together with all her rigging, sails, tackle, yards, guns, utensils and appurtenances, as it is and stands, without reservation or retention, and with the whole of which Sr. Braquier, the purchaser, declared himself satisfied, as he had seen, visited and examined said vessel, and as he had even taken possession of it, from this day, for the purpose of enjoying full ownership over it, as it was formerly enjoyed by said Sr. Corail, the vendor, who acquired said vessel, together with her rigging, etc., according to a deed written in the Dutch language, which he produced and delivered to Sr. Braquier, who declared hereby his acknowledgment and satisfaction.

The said sale, cession and transfer was effected with no other formalities, the buyer having been satisfied with these presents; while the vendor declared that there were no debts nor mortgages on said vessel; and the price agreed upon was in the sum of 6000 livres, in letters of exchange drawn on the Royal Treasury; which sum Sieur Braquier has at present paid in cash to Sieur Corail, who expressed his acknowledgment and acquittal. Wherefore the said purchaser became the lawful possessor of said vessel, together with all her rigging and appurtenances; and the vendor promised and obligated himself to warrant and indemnify him towards and against whomsoever it may concern, with reference to ownership, according to the agreement reached between the contracting parties in the execution of these presents.

Done and passed in the Notarial Office of this city on April 14, 1763, in the morning, in the presence of Sieurs Marin Pierre Bary and Antoine Foucher, competent witnesses.

(Signed): Braquier; Bary; J. J. Corail; Foucher; Broutin, Notary.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

April 14.

3 pp.

Berqueville's answer to the representations of Chancelier, tutor of the Chevalier minors, concerning the rendering of accounts of his tutorship.

To Their Excellencies of the Superior Council of the Province of Louisiana:

Sieur Chancelier, with all his representations, has no other object in view but to escape the rendition of his accounts relating to the succession of the late Sieur and Madame Chevalier; and the vague reasons set up clearly prove the embarrassment in which he finds himself. It is proper for defendant to establish some points:

When the defendant presented his petition for the selection of a new tutor, who was selected in the person of Sieur Couturier, maternal uncle of the Chevalier minors, the confirmation of said selection was deferred in view of the defenses of Sr. Chancelier, who asked for a delay of one year in which to render an account of the tutorship.

Secondly, Sieur Chancelier should have foreseen, since he filed his defense, that it was necessary for him to go to Illinois, as he stated that it was impossible for him to give any account in this city without securing the documents concerning the said succession, which papers, he claimed, were in Illinois. The certificate of Sieur Songy, hereto annexed, is strong evidence against Sr. Chancelier, as it destroys all that is stated in Chancelier's petition. The undersigned will not annoy the Court by answering all the points presented by Sr. Chancelier, and will limit his answer to the principal issues only, in his own behalf and in behalf of the other Chevalier minors, his brothers-in-law and sisters-in-law.

Sieur Chancelier tries to attribute great value to the maintenance of some of the minors, and to the investment made of the sum of 72,000 livres, which represents only a portion of the said succession. And finally, Your Excellencies, You rendered your decision on December 4th last, by which You condemned Sieur Chancelier to give his account within three months; and he seems, in this case, to have failed to obey your order.

Sr. Chancelier was careful in covering his tactics, presenting his petition to Messire Foucault on March first last, in which he asked withdrawal of the seizure in the hands of and by Messire de Rochemore, while he knew that Messire Foucault could not grant such request; but the undersigned De Berqueville will prove to the Court that no consideration is to be given to such seizure, as it will be possible to make it in the hands of the new tutor; and, furthermore, such seizure has been eliminated by virtue of Sieur de Rochemore's order to Monsieur the Treasurer, to give, on account of a letter of exchange of one hundred and some thousand livres, the sum of 80,000 livres received by Sr. Chancelier; and the said Treasurer offers to

show the order he received to that end to the person whom it may please Your Excellencies to appoint to verify this matter.

In his representations Sr. Chancelier stated that the undersigned, de Berqueville, is taking advantage, in this matter, of his capacity of officer; and the undersigned answers that Sr. Chancelier is greatly mistaken, since there is an act of partition growing out of the succession of his parents, which could not be executed without an emancipation.

The current news in this colony about the cession made by His Majesty to the King of Great Britain is another motive for De Berqueville to insist on his demands, that Sr. Chancelier render his accounts in this city of New Orleans, and not elsewhere.

In conclusion, the undersigned de Berqueville, defendant, prays that it may please the Court to confirm the selection of Sieur Couturier, and to homologate the deliberations of the family meeting of relatives and friends who designated him as the new tutor; to order Sr. Chancelier to render his accounts within one month's time in New Orleans and expressly to forbid him to leave this city before the rendition and the settlement of said accounts, in view of the false reasons always given by him, for the purpose of avoiding such rendition of accounts. And may justice be rendered.

New Orleans, April 14, 1763. (Signed): Berqueville.

Part of document stained by water.

April 14.

2 pp.

Petition to the Superior Council by Populus, to have decision on representations deferred until he can reach New Orleans from Mobile and urge his claims in opposition to his wife.

Petition to Their Excellencies of the Superior Council of Louisiana, in New Orleans:

Having learned that Madame Populus, my wife, is getting ready to repair to New Orleans with the intent of lodging a complaint and proceeding against me, I wish to inform Your Excellencies that I cannot go there without a special permit of the Governor, to whom I am going to make a request for one. Therefore I pray that your judgment be deferred until my arrival in New Orleans, so that I may be able to present my claims in opposition to the said Madame Populus, and produce the necessary documents in my behalf.

This considered, Your Excellencies, I hope that You will grant my request, as an expression of your equity. And may justice be done.

Mobile, April 14, 1763. (Signed): Populus, Sr.

April 15.

3 pp.

Couturier's answer to the petition of Chancelier, as tutor of the Chevalier minors, in which the latter sought an accounting of various sums from Couturier.

To Their Excellencies of the Superior Council of the Province of Louisiana:

Sieur Chancelier, in his petition dated March first last, claims and demands that Sieur Couturier render to him an account of the sum of 4651 livres, which he acknowledged owing and having in his hands, according to his note of February 17th, which sum belongs to the Chevalier minors; and he asks also that he present his account of expenses concerning the three Chevalier minors placed in his charge.

By another petition of same date Sieur Chancelier claims the sum of 2800 livres, in silver piastres, which seem to be due to Sieur Chevalier, according to acknowledgments of Kintrek, dated April 17 and September 13, 1757. Sr. Chancelier, by the same petition, also asks that the defendant render him an account of the Kintrek succession, in reference to the portion in which the Chevalier minors are interested.

The defendant, in reply to the first request, alleges that the statement concerning the maintenance of the three Chevalier minors is herewith annexed, and demands that the sum of 1500 livres per year for each one of the minors be allowed him for board, lodging and clean linen, in view of the scarcity and exorbitant prices of all commodities and provisions.

As regards the second request, concerning the 2800 livres in Spanish currency, the defendant answers that he had never been entrusted with any amount of that specie, according to the inventory drafted after Sieur le Kintrek's death; and he expresses surprise that Sr. Chevalier, who outlived Sr. le Kintrek for more than eight years, should never have claimed the said sum. Furthermore, Sr. Kintrek was very anxious to return the money entrusted to him, as soon as he could, and he was in condition to do it; while the estate of Sieur Chevalier was not so large, at that time, as to dispense with a sum which represented a considerable amount of money to him.

As to the succession of Sieur Kintrek, the defendant is ready to render an account of it to the plaintiff.

And concluding, the defendant prays that it may please the Court to render its decision and order the plaintiff to receive, in colonial currency, the sum of 2800 livres, which he claims should be paid to him in Spanish specie, because the defendant had never been entrusted with this kind of money. And justice will be rendered.

New Orleans, April 15, 1763. (Signed): Couturier.

Expense account of Couturier with the Chevalier minors.

April 15, 1763.—Statement of Expenses made by Couturier in account with the Chevalier minors, namely:

Paid to Mr. Olivier for dress material for said minors the sum of livres:	325 — —
Paid to Lartois, tailor, according to his receipt:	227–10 —
To the same (Lartois) according to his bill:	202–10 —
To Mr. Lafourcade for one hat:	35 — —
To Sieur De la Ronde for school:	92– 9 —
For the first year and for the two girls: 16 pairs of shoes at 10 livres per pair, livres:	160 — —
For the second year, the same quantity: six months at 15 livres (shoes at 15 livres per pair); and for the other six months at 20 livres:	250 — —
Paid to Mr. Giraudeau for 4 yards of Cholet material, at 17, 10 per yard:	70 — —
One piece of Siam cotton bought at Mr. La Clede's:	50 — —
Six pieces of Spanish cotton bought at Mr. Olivier's at 40:	240 — —
Two and one-half ells of Polonaise cotton at 90 livres per ell:	225 — —
Four pieces of Bretagne cloth bought at Joly's at 120:	480 — —
Two ells of cotton at 100:	200 — —
And three ells of Polonaise at 60, purchased at Mr. Mazant's:	180 — —
Two pieces of blue Polonaise, bought at Mr. Boisdoré's at 130:	260 — —
Two pounds of cotton thread, bought at Boisdoré's at 40:	80 — —
Six pounds of powder at 10:	60 — —
Two thousand pins at 12, 10:	25 — —
One taffeta cloth:	60 — —
One Molton cloth:	100 — —
Two handkerchiefs at 50:	100 — —
Four Cholet handkerchiefs at 40:	160 — —
To a dancing master, for 3 months at 20 livres for each pupil:	120 — —
Paid to Madame Sara for school tuition:	50 — —
Paid for thread:	50 — —
Six ells of ribbon at 10 livres:	60 — —
Five pairs of shoes at 20 livres:	100 — —
Seven pairs of shoes at 40 livres:	280 — —
For a hat:	120 — —
Paid to the tailor:	60 — —

Five ells of linen purchased at Mr. Maxent's at 55 livres:	275 — —
For board, clean linen, etc.—Memorandum:	—— — —
Total livres:	4637–14 —
Paid to Sieur Dehettres for school:	90 — —
	4727–14 —
Addition to the above statement of expenses:	
For one hat:	64 — —
For two waistcoats of Cholet:	80 — —
For lining:	10 — —
To the tailor for work:	35 — —
Material for breeches:	80 — —
For sundry purchases:	10 — —
Six silk handkerchiefs for the little girl:	30 — —
Total:	5036–14 —

I certify to the truth of the present statement of expenses, amounting to the sum of five thousand and thirty-six livres and fourteen sols, errors and omissions excepted.

New Orleans, April 15, 1763. (Signed): Couturier.

April 16.

3 pp.

Soubie, Secretary to the Governor, acting under procuration of Jacques Lajus, petitions for citation of Durel, consignee of a trunk containing wearing apparel, and of a mulatto, belonging to Laporte, merchant of St. Domingo, drawer of a bill of exchange upon Monsanto, merchant of New Orleans, to Lajus' order, which bill of exchange was duly protested, but remained unpaid by Monsanto. Purpose of the citation is to have Durel ordered to deposit in Registry the said trunk and mulatto, to be sold at judicial sale, the proceeds thereof to be used for settlement of said bill of exchange.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Sieur Soubie, Secretary to His Excellency the Governor, has the honor to represent that he is the bearer of a bill of exchange, herewith attached, for the sum of 660 silver piastres, drawn by Sieur Laporte, who is now in St. Domingo, upon Mr. Monsanto, merchant of this city, to the order of Mr. Jacques Lajus, merchant of Cap-Francois, in St. Domingo, endorsed by the latter in favor of petitioner, who presented it for payment to the said Sieur Monsanto, on the 9th of the present month, at its maturity; but Sr. Monsanto refused to pay, as it appears from his answer set forth at the bottom of the protest, notice of which was served on him, by Lenormand, Sheriff, on the 11th of the present month, and which is also herewith annexed;

That, considering the non-payment of the said bill of exchange drawn by the said Sieur Laporte, the petitioner made an investigation for the purpose of discovering whether Sieur

Laporte owned any property in this colony, and asked Sieur Durel, merchant in this city, if he was the consignee of any effects, merchandise or money belonging to Sr. Laporte, and Sr. Durel answered that he was, in fact, consignee of a trunk containing wearing apparel, and of a mulatto, belonging to the said Sieur Laporte.

Wherefore petitioner, in his capacity hereinabove explained, and acting under procuration of said Mr. Jacques Lajus, prays that it may please Your Excellencies to cause the said Sieur Durel to be summoned before the Court at its first session and order him to deposit, without delay, at the Registry of the Council, the said trunk with the wearing apparel contained in same, as well as the said mulatto, same to be judicially sold for account and at the risk of said Sr. Laporte, in the presence of Monsieur the Procureur General of the King, and before one of the Councillors of the Superior Council whom it may please You to appoint Commissioner in the case; and to direct also that the proceeds of said judicial sale be used to buy silver piastres in order to pay the said bill of exchange, it being understood that, if the said proceeds should not be sufficient for the settlement of said bill of exchange, the petitioner shall preserve his claim for the balance, against the said Sieur Laporte.

The petitioner also prays that Sr. Laporte be condemned to pay costs, expenses, losses and interest.

New Orleans, April 16, 1763. (Signed): Soubie.

Permit to cite.

April 16, 1763.—Permit to cite before the Council at its next session. New Orleans, April 16, 1763. (Signed): Foucault.

Citation served.

April 18, 1763.—Upon Request of Sieur Soubie, citation was served on April 18, 1763, by Marin Lenormand, Sheriff of the Superior Council, on Sieur Durel, to appear before the Council on the first Saturday of next month of May. (Signed): Lenormand.

April 16.

3 pp.

Certified copy of Populus' defense in answer to his wife's petition. Madame Populus ordered by Fazende, Judge at Mobile, to appear before him; Citation served on her by Cernige, Sheriff of the same jurisdiction.

To Monsieur Fazende, Clerk of the Marine, acting Commissioner and Judge at Mobile:

Sieur De Populus, Captain of Infantry, garrisoned at Mobile, has the honor to represent that the Sheriff of this jurisdiction has served on him a petition filed by Madame Populus, his wife; and in answering the said petition, the undersigned points out two misrepresentations. The first is that I cannot sell anything without her consent, according to the clauses of our marriage contract, whereas

such clauses refer only to negroes, negresses and little negroes that were brought to our marriage by her, and do not embrace other movable and immovable property, as it will be proved, in case of need; secondly, that she has reserved for herself a sum of 2000 livres, and here she is referring to the donation she made to my children.

There is no doubt that Mobile and its dependencies will go to the British; and I do not intend to remain among the foreigners, since I want to live with my countrymen, in this colony or in another country, even far away, if circumstances should require it. I wish also to repeat that on my last trip to New Orleans, His Excellency the Governor gave me his order to the effect that I should establish my garrison there, such being also the order of Mr. De Fremeur, Commandant General.

The last letter I received from the Governor confirms the truth of my statement; moreover it is proper to consider, Sir, that my plan of quitting Mobile and of taking up my settlement on the River (Mississippi), among the French, who will remain there, is the most convenient for me. If Madame, my wife, chooses to change her religion, my sentiments in the matter are quite different; furthermore, I have two boys and one girl, and it is not proper that the latter should remain among the Huguenots; and since Madame Populus is on the eve of departing for New Orleans, I ask that her voyage be deferred, so that I may know beforehand the decision that you will render upon my defense.

All this considered, Sir. may it please You to allow me to settle my affairs; and this I can do only by selling the horned cattle and all other cattle, as well as the landed property that we own in this section of Mobile, so that I may leave for New Orleans, where it is certain that the landed property will be safer than here. Wherefore, may it please You to render justice, and you will do well.

Mobile, April 15, 1763. (Signed): Populus.

Citation of Madame Populus to answer above petition.

April 15, 1763.—Considering the above petition, We order that Madame Populus be summoned before Us, to answer the said petition, tomorrow at eight o'clock in the morning, in Mobile, April 15, 1763; and the Procureur of the King of this jurisdiction shall be notified. (Signed): Fazende.

Citation served.

April 16, 1763.—Served on Madame Populus at her domicile by me, Sheriff of the jurisdiction of Mobile, speaking to her personally. Mobile, April 16, 1763. (Signed): Cernige.

Certification of above copy.

April 16, 1763.—Copy conformably to the minutes deposited in the Registry of this place by Mr. Populus. Mobile, April 16, 1763. (Signed) : Roujot, Clerk.

April 18.

No. 8371. 4 pp.

Marriage Contract between Joseph Leblanc and Josephe Veuvre called Adam.

Marriage Contract executed before the Royal Notary of the Province of Louisiana, residing in New Orleans, between Sieur Joseph Leblanc, gunner, garrisoned in this city, of age in full enjoyment of his rights, son of Jacques Leblanc and of the late Marie Leblanc, native of Bruche, in Flanders, archbishopric of Cambray, on one side; and Demoiselle Josephe Veuvre called Adam, native of this city, parish of St. Louis, bishopric of Quebec, minor daughter of the late Philippe Veuvre called Adam and of Madame Elizabeth Livel.

Sr. Joseph Leblanc assisted by Sieur Etienne Carabie and by Sieur Joseph Capelain, both master tailors of this city, his friends, for want of relatives. Demoiselle Veuvre called Adam assisted by said Madame Elizabeth Livel, her mother; by Sieur Pierre La Ville, master tailor of this city; and by Sieur Michel Meilleur, master shoemaker of this city, her friends for want of relatives.

Done and passed in the Notarial Office of this city, on April 18, 1763, in the afternoon, in the presence of Sieurs Marin Bary and Francois Caminada, competent witnesses, residing in this city.

(Signed) : Josephe Veuvre called Adam; Elizabeth, Widow of Adam; Bary; Foucher; Laville; Caminada, witness; Broutin, Notary.

Joseph Leblanc, Michel Meilleur, Etienne Carabie and Joseph Capelain declared that they could neither write nor sign.

Superior Council orders donation in above marriage contract recorded in the Registry.

May 7, 1763.—Considering the donation set forth in the above Marriage Contract between Joseph Leblanc and Josephe Veuvre called Adam, executed before Master Broutin, Notary, on April 18th last; and having heard the conclusions of the Procureur General of the King, the Superior Council ordered and does order that the said donation be entered in the Register of Insinuations of the Registry, so that it may obtain its full and complete effect; and the said order was immediately carried out by the Clerk on the said Register, folio 85.

Given in the Council-chamber at New Orleans on May 7, 1763. (Signed) : Foucault.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

April 21.

No. 8372. 3 pp.

Procuration by Louis Viviat to Poincignon of Cap Francois, St. Domingo, to settle matters relating to the fitting out of a vessel named "La Fleur De La Mer".

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Sieur Louis Viviat, shipmaster, at present in this city, who, by these presents, appointed and constituted as his general and special attorney, Sieur Poincignon, merchant at the Cap (Francois), to whom he granted full power to act in his name and stead, to settle, receive and administer the portion coming to the appearer and to represent the latter's interest in the fitting out of the vessel named "La Fleur De La Mer", which was carried out by Sieur Reinaud, shipmaster, according to his letter of December 10, 1761, recorded in the Minutes of the Registry of the Superior Council of this province, at folio 221, the original of which letter, as well as a certified copy of same, were delivered to appearer. The constituted attorney is to receive the share, as above explained, coming to appearer, and will use it in conformity to the instructions set forth in Sieur Viviat's letter herewith annexed; and in case of default or refusal of payment by said Sr. Reinaud, or by other debtors, or by other interested persons, the constituted attorney shall use all necessary and lawful means to compel him or them thereto, as he has power to do all that appearer himself could and would do if he were present; the said appearer obligating himself to accept as satisfactory and to approve and ratify all that will be executed by his said attorney.

Done and passed in the Notarial Office of this city on April 21, 1763, in the presence of Sieurs Marin Bary and Antoine Foucher, duly qualified witnesses.

(Signed): Viviat; Bary; Foucher; Broutin, Notary.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

April 25.

2 pp.

Settlement proposed to Jerome Matuticte, master of the privateer "St. Antoine", by Klivian Frollo, acting for Catherie & Guichard of Port-au-Prince, in regard to the operations of said privateer.

Settlement proposed to Sieur Jerome Matuticte, shipmaster of the privateer "Le St. Antoine", by Klivian Frollo, acting under procuration of Sieurs Catherie & Guichard of Port-au-Prince, Owner and quartermaster, respectively, of the said privateer, to wit:

That since Sieur Matuticte has no prize to prove the interest that he pretends to have in the fitting out of the privateer "St. Antoine", only Sieur Catherie is able to make a definitive settlement with Sr. Jerome Matuticte; and to this end Sr. Jerome Matuticte shall furnish the undersigned with a detailed statement concerning his operations since he sailed from Port-au-Prince and of all

the prizes taken up to the end of his cruise; that Sr. Jerome Matuticte shall settle here in full or in part for the amount due the said owners; and if he cannot settle the full amount, he shall furnish good and valid security for the remainder; that Sr. Jerome Matuticte shall obligate himself to go in person to Port-au-Prince to render his account to the said owners.

New Orleans, April 25, 1763. (Signed): Klivian Frollo.

Agreement reached between Jerome Matuticte and Klivian Frollo in the above matter.

May 2, 1763.—I, The Undersigned, do certify, that by virtue of the power granted me by the procuration of the abovementioned ship-owners, I have reached an understanding with Sieur Jerome Matuticte; and that as I was not willing to accept the account he presented to me, he will pay here provisionally the sum of 60,000 livres, or more if possible, and shall furnish valid and sufficient security for the balance; and he obligated himself to go, as soon as possible, to St. Domingo to render his accounts. The above agreement was mutually satisfactory.

New Orleans, May 2, 1763. (Signed): Klivian Frollo.

April 26.

2 pp.

Petition to the Superior Council by Jean Baptiste Phelyppeaux for permit to deposit in the Registry of Mobile 3700 livres and interest, representing the price of two negro slaves that he bought from the Rouzon succession.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Jean Baptiste Phelyppeaux, employee of the King in Mobile, humbly represents and prays: That when, on May 12, 1760, a judicial sale was held of the movable and immovable holdings of the succession of the late Marguerite Rouzon, widow by second marriage of Sieur Paulet, inhabitant of Mobile, the petitioner purchased a negro and a negress for the sum of 3700 livres, to be paid within the term of four years, together with the annual interest; that the petitioner has decided to leave Mobile, not only because it has become a dependency of the English monarchy, but also because, under the present circumstances, it is uncertain when he will be forced entirely to quit the colony and to secure employment elsewhere.

All this considered, the petitioner prays that it may please Your Excellencies to allow him to deposit in the Registry of Mobile the said sum of 3700 livres, together with the interest due for the said four years, the said deposit to be made in currency accepted at present as legal tender; and that consequently the petitioner be discharged of the said purchase. And You will do right.

New Orleans, April 26, 1763. (Signed): Phelyppeaux.

April 28.

2 pp.

Petition to the Superior Council by De Flottemanville, seeking judgment against Madame Azemare for rent of plantation sold to her and for an accounting of all revenues derived from said plantation and a saw-mill.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Grenon De Flottemanville humbly prays and represents that Madame Azemare has refused to comply with the order of the Council dated March 5th last and herewith attached, alleging that she was so advised by persons well acquainted with the affair; that in reality she had the money, but for her security she would ask Your Excellencies to allow her to deposit in the Registry the whole amount she agreed to pay for the petitioner's land, and that she would stand on the opposition made to the sale of said land by Sieur Becat, to whom the petitioner still owes, at the most, for his share, from seven to eight thousand livres; that a few days after the order above mentioned was served on her, Madame Azemare sent Sieur Delisle, her attorney, to Sr. Becat to ask him to cause the said opposition promptly served on her, in the hope that such subterfuge would turn to her advantage.

In response to the evasive tactics of Madame Azemare the petitioner has the honor to explain to the Court that she is in the possession and enjoyment of the plantation delivered to her by petitioner, since the month of January last; and that when the Council rendered the aforesaid order, it did not overlook Sr. Becat's opposition to the said sale.

This considered, petitioner prays that he be allowed to have Dame Azemare summoned before the Superior Council at its first session, and that judgment be rendered condemning her to pay the petitioner the rent on said landed property due for about six months. And also the petitioner prays to be allowed to seize all the movable and immovable property of Madame Azemare; and that Madame Azemare be directed also to render an account to petitioner of all the revenue that she has derived from the said plantation, and particularly of the revenue obtained from the saw-mill, until she has complied with the said order of the Council of March 5th last. And to costs. And You will do right.

New Orleans, April 28, 1763. (Signed): De Flottemanville.

Permit to cite.

April 28, 1763.—Permit to cite at the first session of the Council. April 28, 1763. (Signed): Foucault.

Citation served.

May 3, 1763.—Citation served by the Sheriff of Superior Council, upon request of Sr. De Flottemanville. (Signed): Lenormand.

April 29.

5 pp.

Answer of Matutich to petition of Guichard, which was presented by Frollo, acting under procuration of said Guichard.

To Their Excellencies of the Superior Council of the Province of Louisiana:

In consequence of a citation served by request of Sieur Guichard on the petitioner, the latter has the honor to present the following defense:

In order to make Your Excellencies acquainted with the matter, I shall explain that it concerns a small two swivel-gun vessel manned by a crew of ten men, which was fitted out at Port-au-Prince by Sieur Louis Cathery (Catherie), a friend of the petitioner, who commanded the said vessel as a privateer, and in which petitioner has an interest of 1500 livres, concerning which, however, petitioner is not able, at present, to furnish any proof. The said Sieur Cathery, as well as the petitioner, do not know how to write, and they made their agreement on the basis of friendship and good faith; and it was only through the labor and toil of petitioner, who found himself under the necessity of working as a caulker, carpenter, sailmaker, sailor, merchant, quartermaster and shipmaster, that the said small vessel, with two swivel-guns and ten men, has brought in to date to said Sr. Cathery, petitioner's partner, the sum of 81,554 livres and 19 sols, from which is to be deducted the aforesaid sum of 1500 livres, representing the petitioner's interest; and, in addition, two vessels were captured. And it is in reference to said vessel that a rendering of accounts is requested.

The petitioner, having learned from Mr. Frollo, merchant of this city, that Sieur Cathery had sent him a procuration for the purpose of obtaining an accounting from the petitioner, the latter gave such accounts even without notification of the said power of attorney; and Mr. Frollo, having observed petitioner's good faith, has agreed to receive a sum of 60,000 livres, the remainder to be settled at St. Domingo, as the petitioner could not produce here proof of his interest in the business of the said informal partnership. The agreement hereinabove mentioned, signed "Frollo", is herewith annexed.

The petitioner, being inexperienced in the matter, sent all papers to Mr. Delassize, who prepared a statement showing that the sum of 81,554 livres and 19 sols is due to Sieur Cathery, petitioner reserving the right to prove how much is coming to him on account of said interest of 1500 livres in the partnership. The said statement, also herewith annexed, was sent to Mr. Frollo over a month ago.

The whole matter seemed to be settled on the basis of said statement, consequently petitioner paid, in divers installments, the sum of 51,978 livres, 4 sols and 3 deniers, according to a receipt of April first, signed "Guichard et Frollo", also herewith annexed.

Considering that the sum of 60,000 livres represents about all the amount due, in full settlement, to Sieur Cathery, there remained to be paid the difference to complete the said amount, and petitioner is getting ready to go to St. Domingo, as soon as his health will permit him to leave, for the purpose of settling the matter, because only at St. Domingo will he be able to prove his interest in the said vessel.

And now, Your Excellencies, after all that was agreed upon, and after the payments on account made by petitioner, without knowledge of the procuration, he finds himself summoned by Sieur Guichard, who claims to have an interest in the matter and to be authorized by a power of attorney.

The petitioner, surprised by Sr. Guichard's action, went to see Mr. Frollo, who also was surprised, and who delivered to Sr. Guichard the abovementioned agreement, saying that since the procuration was also executed by Sr. Guichard, he would not take any further action in the matter, as Sr. Guichard had broken his word.

Now, Your Excellencies, this Sr. Guichard presents to You a petition, representing that petitioner owes him a sum of 120,000 livres; but on what basis and for what reason? And where are his vouchers?

The petitioner will prove, if necessary, that Sieur Guichard's citation was prompted by his purchase of a vessel without making provision for sufficient money to pay for the same, and he just needs some funds; it is not true that the petitioner was interested in said purchase, as Sr. Guichard stated in his petition, since the latter tried to sell the said vessel; and, furthermore, why did he accept and receive the aforesaid payments on account and agree that the matter be settled in St. Domingo?

All this considered, Your Excellencies, petitioner prays that it may please You to order that the statement of accounts furnished by the petitioner be examined and discussed by his partner of St. Domingo, named Louis Cathery; and that petitioner in person, or by means of a procuration, shall settle the whole matter in St. Domingo. Costs on Sr. Guichard. (Signed): Matutich.

April 29.

No. 8378. 3 pp.

Sale of a vessel named "L'Esperance" by Louis Viviat to Pierre L'Eglise, for 35,800 livres.

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, personally appeared Sieur Louis Viviat, shipmaster of and having an interest in the vessel named "L'Esperance", built by Vermudien, said appearer acting in his own name and also in behalf of Sieurs Monillier, Bollos et Compagnie, all having an interest in the said vessel; which appearer, being a resident of

St. Domingo, but at present in this city, declared and acknowledged, by these presents, that he, this day, sold, conveyed and transferred, with warranty against all troubles, hindrances, impediments, oppositions, debts, mortgages and difficulties whatsoever, to Sieur Pierre L'Eglise, mariner, at present residing in this city, who also appeared and signified his acceptance, in his own behalf and in behalf of his heirs and assigns, the said Vermudien vessel named "L'Esperance" of about thirty tons displacement, together with all her running-rigging and standing-rigging, artillery, sails, tackle, yards and utensils, according to inventory now delivered to the purchaser, and with all appurtenances, and as it is, without reservation. The price was fixed at the sum of 34,000 livres, in colonial currency, paid at present and in cash by Sieur L'Eglise, buyer, to the vendor, Sieur Viviat, who signified his acknowledgment, plus another sum of 1800 livres, currency of St. Domingo, for which amount Sr. L'Eglise gave a promissory note to Sr. Viviat.

Executed in the Notarial Office of this city on April 29, 1763, in the afternoon, in the presence of Sieurs Marin Pierre Bary and Jean Gradenigo, competent witnesses.

(Signed): Viviat; Jean Gradenigo; Foucher; Bary; Broutin, Notary.

Pierre L'Eglise declared that he could neither write nor sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

April 30.

No. 8379. 2 pp.

Mortgage for 1200 livres, specie of St. Domingo, by Pierre L'Eglise to Louis Viviat in connection with the sale of the vessel named "L'Esperance".

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Sieur Pierre L'Eglise, shipmaster, at present in this city, who, by these presents, stated, admitted and acknowledged that he was indebted to Sieur Louis Viviat, also shipmaster, at present in this city, who also appeared, in behalf of Sieurs Molinier, Baulos et Compagnie, merchants of St. Domingo, in the sum of 1200 livres, currency of St. Domingo, in full payment for the vessel named "L'Esperance", sold and delivered to Sr. L'Eglise by Sr. Viviat; which sum of 1200 livres, specie of St. Domingo, Sr. L'Eglise promised and obligated himself to pay to said Sieurs Molinier, Baulos et Compagnie, or to the bearer of a certified copy of these presents, or to their constituted attorneys, within six months from this day, in Port-au-Prince; in security whereof he granted a mortgage on all his movable and immovable, present and future property, and in particular on the aforesaid vessel, adopting, for this purpose, his domicile at the residence of Sieur Pierre Robert, merchant of Port-au-

Prince, and at said place he consented that all acts necessary for the execution of these presents be performed and served.

Done and passed in the Notarial Office of this city on April 30, 1763, in the afternoon, in the presence of Sieurs Marin Bary and Jean Gradenigo, duly qualified witnesses, residing in this city.

(Signed): Viviat; Jean Gradenigo; Bary; Broutin, Notary.

Pierre L'Eglise declared that he could neither write nor sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

April 30.

No. 8380. 2 pp.

Mortgage for 600 livres, currency of St. Domingo, by Pierre L'Eglise to Jean La Coste in connection with purchase of vessel named "L'Esperance".

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, personally appeared Sieur Pierre L'Eglise, navigator, at present in this city, who, by these presents, admitted and acknowledged that he was indebted to Sieur Jean La Coste, shipmaster, at present in this city, who also appeared and expressed his acceptance, in the sum of 600 livres, currency of St. Domingo, which Sr. La Coste paid him in cash, and which Sr. L'Eglise promised and obligated himself to reimburse and pay back in St. Domingo, within six months, and he granted security on all his movable and immovable, present and future property, and in particular on his vessel named "L'Esperance", taking up, to this end, his domicile at the residence of Sieur Pierre Robert, merchant, in St. Domingo, where he agreed that all acts necessary to carry out these presents be executed.

Passed in the Notarial Office of this city, on April 30, 1763, in the afternoon, in the presence of Sieurs Marin Bary and Jean Gradenigo, competent witnesses, residing in this city.

(Signed): Jean Gradenigo; J. Lacoste; Bary; Broutin, Notary.

Pierre L'Eglise stated that he could neither write nor sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

April 30.

No. 8382. 10 pp.

Discharge granted by Jean Louis Billaud to Bastient Frederic, former tutor of the Billaud minors, for seven head of cattle.

In the Notarial Office of this city appeared Jean Louis Billaud, inhabitant of this colony, in his name and in the name of his two brothers, who, by these presents, declared and acknowledged to have received from Bastient Frederic, also inhabitant of this colony and former tutor of the Billaud minors, seven horned cattle, in obedience to the orders of the

Superior Council, dated December 6, 1760, and February 5th last, the said seven cattle representing the remainder of twenty-two horned cattle coming from nine cows; for all of which the said Billaud hereby granted full discharge to said Bastient and promised to have him also released towards his minor brothers and whomsoever else it may concern.

Executed before the Royal Notary of New Orleans on April 30, 1763, in the presence of Sieurs Marin Bary and Antoine Foucher, competent witnesses, residing in this city.

(Signed): Foucher; Bary; Broutin, Notary.

Bastient Frederic and Jean Louis Billaud declared that they could neither write nor sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

Documents annexed to the above: (1) Billaud vs. Bastient, former tutor of Billaud minors. Council orders Bastient to deliver nine head of cattle originally received from the Billaud succession, together with two-thirds of the increase.

December 6, 1760.—Extract from the Minutes of the sessions of the Superior Council of the Province of Louisiana of December 6, 1760:

Between Jean Louis Billaud, inhabitant of this colony, in his name and as tutor of his two minor brothers, all three being the sons and heirs of the late Louis Billaud and of the late Eve Frederic, their father and mother, plaintiff; and the said Bastient, also inhabitant of this colony, uncle of the said Billaud brothers and their former tutor, defendant.

The Superior Council of the Province of Louisiana, considering the petition presented by the plaintiff, the order and citation of November 17th last, the said petition representing that after the death of the plaintiff's parents an inventory was taken of all the property of the succession, and all said property, including all the cattle, was entrusted to the care of his uncle, in his capacity of tutor; that the plaintiff having been emancipated, he and his minor brothers were entitled to, and requested of the defendant, all the effects and cattle mentioned in said inventory, and also the increase, thirty-three in number, produced by nine horned cattle; that the defendant refused to comply with such request, and was willing to deliver only the nine horned cattle originally received by him; but, as the plaintiff and his two minor brothers had left the defendant's house over two years ago, and when they left were not given any food or wearing apparel, he cannot admit the defendant's claim to the increase of the cattle; and concluding, that the defendant be ordered to deliver to him, without delay, the nine horned cattle mentioned in the aforesaid inventory and the thirty-three cattle, representing their increase.

The Council, having heard both parties and the conclusions of the Procureur General of the King, condemned and does condemn the defendant to deliver without delay to the plaintiff the nine horned cattle received by the former in the beginning of the tutorship, together with the two-thirds of all their increase; and ordered that one-third of said increase shall remain and belong to the defendant as compensation for the board and maintenance of the minors during the time they lived with him. Costs compensated.

Given in the Council-chamber, on December 6, 1760.

By the Council. (Signed): Chantalou, Clerk.

Above order served on Bastient.

December 7, 1760.—On Billaud's request the above order was served upon Bastien on December 7, 1760. Copy of the order and judgment was delivered to Bastien by Pierre Marin Bary, Sheriff. (Signed): Bary.

Another order delivered to Bastien in the above matter.

January 5, 1761.—On January 5, 1761, in the afternoon, by virtue of the above order of the Superior Council dated December 6th last, signed by Chantalou, Clerk; and upon request of Jean Louis Billaud, in his name and as tutor of his two minor brothers, all domiciled in this city, Marin Pierre Bary, Sheriff of said Council, in the name of the King, Our Sire and Justice, commanded and ordered Sieur Bastien, residing down the River, who had adopted domicile in New Orleans at the residence of Sieur Simon Durieau, to deliver to the said Billaud, or to himself, Sheriff, in Billaud's behalf, the nine cattle he received from the Billaud succession, plus two-thirds of all their increase, without prejudice to other claims; in default whereof the Sheriff stated that he would be compelled thereto by all lawful means and also by seizure. (Signed): Bary.

(2) Billaud vs. Bastient, former tutor of Billaud minors. Council directs Sheriff to execute the order of December 6, 1760, against Bastient by seizure of cattle in dispute.

February 5, 1763.—Extract from the Minutes of the sessions of the Superior Council of the Province of Louisiana of February 5, 1763:

Between Jean Louis Billaud, in his own name and in the name and as tutor of his minor brothers, all sons and heirs of the late Billaud and of Eve Frederic, their father and mother, plaintiff; and the said Bastient, former tutor of the Billaud minors, defendant.

The Superior Council, considering the petition presented today by the plaintiff, representing that on December 6, 1760, he obtained an order of the Council condemning the defendant to deliver to him nine horned cattle and two-thirds of their increase, thirty-three in number; that the said order was duly

served, with proper form and authority in the King's name, according to the return of Bary, Sheriff, dated December 7, 1760, and January 5, 1761; that the defendant did not fully comply with said order, having delivered to the plaintiff, besides the nine horned cattle originally received, only seven heifers and eight calves, up to the end of November last; that, in spite of repeated requests for the remaining seven cattle, and of other effects, entrusted to him according to inventory of the succession, the defendant refused to comply with such demands;

Prays that it may please the Council to allow him to take possession of the said seven cattle, or to have them seized, so that they may be delivered to him; and also prays that the Council direct the defendant to deliver to him all the effects with which he was charged by the inventory of the Billaud succession; and to pay costs and expenses.

Considering the said order of December 6, 1760; and the notices of December 9, 1760, and of January 5, 1761; having heard the conclusions of the Procureur General of the King, the Superior Council ordered and does order that the said order be executed according to its form and tenor; and condemned the defendant to pay costs.

Given in the Council-chamber on February 5, 1763.
Received twenty livres.

By the Council. (Signed): Broutin, Clerk.

Above order served on Bastient.

February 9, 1763.—The above order was served upon Bastient on February 9, 1763, by Marin Lenormand, Sheriff of the Superior Council, on request of Louis Billaud. Copy of same delivered to Bastient. (Signed): Lenormand.

May 4.

6 pp.

Answer filed by Pierre Hardy called La Vierge, acting under a power of attorney of late Chesneau, to petition of La Branche, concerning the latter's claim to four arpents of land sold under Court order without opposition from La Branche.

To Their Excellencies of the Superior Council of the Province of Louisiana:

Sieur La Branche in his petition claims four arpents of land acquired from Sieur La Vergne in exchange for four other arpents that he transferred to said Sr. La Vergne.

When the defendant, legal representative of the said Sieur Chesneau called La Vergne, decided to carry out the Council's order, the land in question was advertised and auctioned at the bar of the Registry; but the defendant, having observed that the price offered was below its real and just value, requested that, in the interest of the minors, the sale should be postponed; and the said request having been granted for

six months, new advertisement was effected, and Sieur La Branche should have filed his opposition to the sale since then.

The defendant must explain that the four arpents of land claimed by the plaintiff were granted, in default of cultivation, to one Garel by name, who transferred the same to Madame widow Collet in exchange for five arpents situated above Madame Collet's plantation.

In view of these considerations, the defendant prays that it may please Your Excellencies to reject the plaintiff's demands, because he neglected to file his opposition to the aforesaid sale, and to confirm, by your order, the judicial sale of the said land. And to condemn him to costs and expenses. And may justice be rendered.

New Orleans, May 4, 1763. (Signed): Lavierge.

Statement pinned to above document.

I, Barthelemi Garelle, do hereby certify that the four arpents of land that I exchange with Sieur Prevost Collet had been transferred to me by the late Monsieur D'Auberville; and these are the four arpents now unjustly claimed by Sieur Labranche. As I do not know how to sign, I made my ordinary mark in the presence of the witnesses.

(Signed): Mark X of Barthelemi Garelle; Paul Collet; Janbatis Boyer, witness.

May 6.

2 pp.

Petition by Chancellier asking the Superior Council to homologate the deliberations of the family meeting for the Chevalier minors, and to appoint Couturier as their new tutor; and that the latter be directed to go to Illinois to receive there an account of his tutorship from the petitioner.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Sieur Chancelier, in the name and as tutor of the minor children of the late Sieur Chevalier, former keeper of the King's stores in Illinois, humbly prays and represents that the family of the said minors, persisting in their evil designs, has secured documents, which were produced by Sieur Barqueville, to prove that the petitioner refused to render an account of tutorship to him in Illinois, petitioner alleging that the papers concerning the administration of the tutorship were in this city, while now petitioner pretends that such papers are in Illinois. Whereupon petitioner finds it necessary to present this answer in order to explain and justify his conduct.

It is true that he was unable to render his account in Illinois, because he went up there without knowing that he would be called upon to give an account, and accordingly left in this city documents relating to the Dupont succession, a receipt of Madame Dauberville, the lease of the minors' plantation, and

several accounts that he had settled with Mr. Chantalou, Mr. Braquier and with other people; and besides, he was not judicially summoned in Illinois to render his account, and even if he had been, he could not discharge his duty without the withdrawal of the seizure, which Mr. Foucault refused to grant.

It is also true that the petitioner came down from Illinois with the determination of giving up the tutorship; but, as he believed that he could not resign except in Illinois, where he took up his duty and where the main transactions of the succession were executed, he did not carry with him the documents, wishing to avoid the risk of losing them, and thinking that the new tutor would go up to Illinois and there receive the account. In such case the petitioner would have taken up there the collated copies of the documents that he kept in this city, the originals whereof he would have deposited in the Registry here.

All this considered, petitioner, who has become a widower since he took charge of the tutorship, and who is not disposed to continue to administer the said succession, because of being incessantly troubled by the minors, or at least by their relatives, prays that it may please Your Excellencies to homologate the deliberations of the family meeting of the minors' relatives, who have appointed Sieur Couturier as tutor; and to direct the new tutor to go up to Illinois, or to empower someone there, to receive the tutorship accounts from petitioner, who asks, at the most, a delay of eight or fifteen days after his arrival there, as petitioner is not able to render any account here in the absence of the most important documents. Furthermore, petitioner prays that the seizure be withdrawn not only from the holdings but also from the deeds, papers, titles, and all documents of the succession; and finally that Mr. Couturier be condemned to settle all the affairs, to liquidate the Dupont succession with the Chevalier minors with petitioner, before he qualifies as tutor of said minors. And may justice be done.

New Orleans, May 6, 1763. (Signed): L. Chancellier.

May 6.

2 pp.

Certified copy of contract for exchange of land between Jean Labranche and Louis Lavergne. With two annexed documents.

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, in the presence of the witnesses hereinbelow mentioned and undersigned, personally appeared Jean Labranche, inhabitant of the German Coast, and Louis Lavergne, at present in this city; which appearers reached the following agreement:

Sieur Labranche conveyed, transferred and abandoned, from now and forever, with warranty against all troubles and impediments whatsoever, to Sieur Lavergne, four arpents of land, having the usual depth, fronting on the Mississippi, situ-

ated at Lance-aux-Outardes on the other side of the River, with no buildings thereon, adjoining on one side the property of Sieur Labranche and on the other side the property of Sieur Jean Deslandes, with respect to which land Sieur Lavergne signified his contentment and satisfaction, having seen and visited the whole. And in exchange for same Sr. Lavergne also conveyed, transferred and abandoned to Sr. Labranche four arpents of land, fronting on the River, having the ordinary depth, with no buildings thereon, situated opposite the Cannes Bruslées, adjoining on one side the property of Sr. Lavergne and on the other side that of Sr. Dugué, for which land Sr. Labranche expressed his contentment and satisfaction, having seen and visited the whole. The said exchange was made forever and irrevocably by the two contracting parties, with no money involved, the two plots of land being equal in size and value; and the two parties gave each other warranty against whomsoever it may concern.

Done and passed in the Notarial Office of this city of New Orleans, on December 3, 1748, in the presence of Sieurs Augustin Chantalou and Marin Lenormand, witnesses residing in this city.

The two contracting parties stated that they could neither write nor sign; and in the original signed Chantalou, Lenormand, and Henry, Notary.

Collated to the original. (Signed): Chantalou, Notary.

First document annexed to the above: Statement concerning ownership of said land.

May 6, 1763.—We, the undersigned, or under our ordinary mark, do hereby certify to all whom it may concern, that Sieur La Branche exchanged with the late Sieur Lavergne four arpents of land situated at Cannes Bruslées, on the other side of the River, adjoining on the upper side the property of Sieur Dupart, and that of Madame Piquery on the lower side, which land has been in possession of Sieur Perret. In faith whereof we signed or made our ordinary mark.

New Orleans, May 6, 1763. (Signed): Ordinary mark X of Sr. Peret; Maroteaux, witness; Bourky, witness.

Second document annexed to the above: Statement relating to ownership of said land.

May 2, 1763.—Upon Sieur Labranche's request, I, the undersigned, do hereby certify that never, so far as I know, has the plantation of Sieur Genieau been advertised at the door of our parochial church; moreover it is my knowledge that the late La Vergne made an exchange of four arpents of land adjoining the land that said Genieau purchased from one Colette, which at that time, consisted only of eight arpents, as the act of sale ought to show. In faith whereof I have signed the present declaration at Charleston, on this second day of May, 1763.

(Signed): Darensbourg.

May 6.

1 p.

Petition to the Superior Council by Chancellier, as tutor of the Chevalier minors, for authority to execute lease.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Sieur Louis Chancellier, in the name and as tutor of the minor children of the late Sieur Chevalier, former storekeeper of the King in Illinois, represents that on April 2, 1760, at a judicial offering, a house belonging to the said minors was leased to Sieur Jung for a term of three years; and since such term has now expired, the petitioner prays that it may please Your Excellencies to allow him to execute a new lease for another term of three years, the whole to be done according to the usual formalities. And You will do right.

New Orleans, May 6, 1763. (Signed): L. Chancellier.

May 6.

2 pp.

Petition to the Superior Council by Grenon De Flottemanville for rejection of demands of Madame Azemare concerning execution of contract of sale of plantation and timber.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Grenon De Flottemanville humbly prays and represents that he cannot understand how Madame Azemare dares pretend that the petitioner sold her some mill timber, the truth being that when petitioner sold his land to said Madame Azemare the following stipulations were agreed upon and put down in writing:

First, that said Madame Azemare should pay him, one year after the conclusion of peace, the sum of 10,000 livres in silver piastres; second, that she should, starting from the same day, provide an annuity in his favor of 8000 livres; third, that she should pay him, in two installments, the sum of 8000 livres; fourth, that she should remit to Mr. Voisin, Sr., the sum of 12,075 livres; fifth and last, that she should return to petitioner one promissory note of his, herewith annexed, for the sum of 7500 livres.

Madame Azemare agreed upon the first four stipulations above specified; and only in reference to the fifth, which had to do with petitioner's plantation, she seemed to hesitate to make a decision. Sieur Delisle, manager for Madame Azemare, understanding that the said last condition constituted the Gordion knot of the transaction, and that if it were not accepted by Madame Azemare she could not get petitioner's plantation, spoke to her in the following terms: "If you wish, Madame, I will try to find a basis for an agreement; return to Sr. De Flottemanville his note of 7500 livres, add over and above 500 livres, and ask him to deliver to you the timber that he has at the German Coast, by giving up to you the contract passed between him and Laporte concerning the said timber." And at last the petitioner and Madame Azemare agreed upon the

proposal submitted by Sieur Delisle, and consequently the whole transaction was concluded.

This considered, petitioner prays that it may please Your Excellencies to reject the impertinent demands of Madame Azemare; and may justice be done.

New Orleans, May 6, 1763. (Signed): De Flottemanville.

May 6.

½ p.

Declaration of Olivier regarding sale to Harans of copper trimming and lock for armoire.

I Do Hereby certify having sold to Mr. Louis Harans copper trimming, fifteen inches in length, for armoire, together with its lock also in copper, and a double key, for the sum of two hundred livres, which he paid me in cash.

New Orleans, May 6, 1763. (Signed): A. Olivier.

May 7.

6 pp.

Petition to the Superior Council by Madame Azemare asking that De Flottemanville be ordered to transfer to her his plantation by notarial act, and expressing willingness to settle any balance that she may owe him.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Madame Azemare, inhabitant of this colony, has the honor to present You this petition to make You acquainted with Sieur Flottemainville's annoyances, hoping that it may please You to grant her the peace of mind that she can obtain only from You.

Since your order of March 5th last, by virtue of which petitioner was condemned to pay Sr. Flottemainville the sum of 8000 livres, she hears on all sides about writs, summons and other quibbles of which he is so capable. The said order was only the result of a subterfuge resorted to by Sr. Flottemainville with the object of circumventing your sense of justice; it is very certain, Your Excellencies, that if he had notified Madame Azemare of his petition with a summons to appear, she would have appeared; and her position is so well established, that she expects to see Sr. Flottemainville's demands entirely rejected.

Sr. Flottemainville resorted to misrepresentation, and he is quite versed in this sort of expedient, by stating that Madame Azemare had promised to pay him as soon as the Council should condemn her to pay. This is affirmed in his petition. The truth is that Sr. Flottemainville promised Madame Azemare that he would have Sr. Becat's opposition dismissed; that, at the first session of the Council, he would obtain an order to this effect; and that he would execute, before a Notary, an act of sale of the property that he had sold; and it was only on this representation that she agreed to pay him the sum in question.

One would not be surprised in detecting such despicable standards in a man of low extraction, but we become indignant in finding them in a man of Sieur Grenon de Flottemainville's rank. He presented for your consideration, Your Excellencies, his poverty that discredits him; but since he can blame only himself for it, why should he try to make Madame Azemare suffer for it? If his demands were well founded, why should he have found it necessary to disregard the form of procedure, and impose on the Council in such a clumsy manner and feel no shame in pretending to be a pauper? He thought a great deal of the order that he obtained and did not consider the obstacle that he has to overcome in order to put the same into execution, that is the opposition of Sieur Becat. He claims the rent on his landed property for six months and himself admits that Madame Azemare took possession of same only on January 25th last; therefore it will take some more time to complete six months. Furthermore, she has been in possession of only one part of the property, because Sieur Flottemainville has always occupied one-half of the house, the key to which he delivered to petitioner only fifteen days ago. He also asks that petitioner render him an account of the revenue of the property; but he seems to ignore the heavy expenses that were necessary in order to clear a plantation that he sold for standing timber, and on which for two or three years no clearing of any sort had been done.

He also claims a share of the revenue of the saw-mill, as something quite lucrative. Well, let him present an account of the revenues he got from it during the whole time of his possession, and we will know something of the matter. But how can he pretend and presume that another owner would have gotten high profits from it, when it was purchased in a dismantled condition and when for many years it did not pay the operating expenses, this being the reason why it was sold, and when we bear in mind that it has been operated by the new owner for only one month?

Madame Azemare never refused to pay the rent, since Sr. Flottemainville already has received an account, as he acknowledged at the bottom of the mentioned contract under private signature, and she is ready to pay the remainder, but this will be paid when he shall have fulfilled his contract.

Wherefore petitioner prays that, all this considered, it may please Your Excellencies to reject all Sieur Flottemainville's demands, as represented in his petition of April 28th last; and in addition to direct him to execute, before a Notary, an act of sale of the plantation in question, and Madame Azemare shall pay him whatever she still may owe on rent account. And costs on Sr. Flottemainville. And You will do right.

New Orleans, May 7, 1763. (Signed): De Labrosse Azemare.

May 7.

No. 8383. 7 pp.

Partition of the proceeds from sale of the assets of the successions of Joseph Carriere and wife among the heirs.

Partition of the proceeds accruing from the sale of the assets of the successions of the late Sieur Joseph Carriere and of the late Madame Marguerite Trepagnier, his wife, the said partition being made among the children, both major and minor, who are ten in number, namely: Sieurs Joseph, André, Louis and Jacques Carriere; Antoine Foucher, tailor of this city, in the name and as husband of Demoiselle Marguerite Carriere; Antoine Descalogne, in the name and as husband of Demoiselle Therese Carriere; and the Sieurs Noel, Mathurin and Francois and Demoiselle Francoise, emancipated minors, acting under the curatorship of Sieur Joseph Carriere, appointed Curator by decision of a family meeting of the relatives, duly homologated by the Court on February 7th last.

The Partition was executed by Messire Jean Francois Huchet de Kernion, Councillor of the Superior Council of Louisiana, in the presence and with the consent of Messire Charles Marie De la Lande Dapremont, Councillor of said Council, acting Procureur General of the King, and assisted by the Clerk of the said Council.

And, having tried to effect said partition amicably in the presence of the interested parties, the heirs who had been notified having failed to appear, the Court decided to proceed officially by virtue of the order rendered by the Superior Council on February 5th last.

Statement regarding the said succession:

First: the receipts of the tutorship account rendered by Sieur Boré, former tutor of the Carriere minors, are represented by the sum of 17,193 livres, from which is to be deducted the sum of 1172 livres for divers expenses, according to detailed specifications given in Sr. Boré's tutorship account, leaving a net sum of 16,021 livres:..... 16021 — —

The procès-verbal of February 14, 1763, relative to the sale of negroes, cattle, furniture and implements shows the sum of 242,535 livres:.....242535 — —

The procès-verbal of the adjudication and sale of a portion of ground and the building thereon, situated in this city, to Sieur Destrehan, on March 21st last, shows the sum of 31,250 livres:..... 31250 — —

The procès-verbal of adjudication and sale of the plantation and buildings thereon, to Sieur Jacques Carriere, on March 23rd last, shows the sum of 26,650 livres:	26650 — —	
Making a sum total of 316,456 livres:	316456 — —	
To which are to be added also:		
The sum of 1200 livres, representing the appraisement of a negress named Francoise, given as an advance of inheritance to Demoiselle Marguerite Carriere, wife of Sieur Foucher, according to marriage contract of February 8, 1745:	1200 — —	
And also the sum of 1200 livres given to Sieur Descalogne:	1200 — —	
The total proceeds of the two said successions being therefore represented by the sum of 318,856 livres:	318856 — —	
From which the following deductions are to be made before partition, viz:		
The sum of 1090 livres for Court costs:	1090 — —	
Five hundred livres for costs relating to the present partition, execution and copies of documents:	500 — —	
The sum of 7510 livres, representing two and a half per cent for collection, keeping and administration of the said proceeds of sale, which sum was due to the Curator and the Clerk, as per agreement:	7510 — —	
Making a total of 9100 livres:	9100 — —	
Which deducted from the aforesaid total of 318856 livres, leaves a net sum of 309,756 livres:	309756 — —	
To be divided among the ten co-heirs, to-wit:		
Share coming to Sieur Joseph Carriere represented by the sum of 30,975 livres and 12 sols:	30975– 12–	
Share coming to Sr. André Carriere:	30975– 12–	
Share coming to Sr. Louis Carriere:	30975– 12–	
Share coming to Sr. Jacques Carriere:	30975– 12–	

Share coming to Madame Marguerite Carriere, wife of Sieur Foucher:	30975–	12–
Share coming to Madame Therese Carriere, wife of Sieur Descalogne:	30975–	12–
Share coming to Sr. Noël Carriere:	30975–	12–
Share coming to Sr. Mathurin Carriere:	30975–	12–
Share coming to Sr. Francois Carriere:	30975–	12–
Share coming to Demoiselle Francoise Carriere:	30975–	12–
Making the total of:	309756	— —

The abovementioned Councillor Commissioner in this case and the abovementioned Procureur General of the King ordered and do order that the present partition be referred to the Superior Council so that it may issue such order as it sees fit, in reference to the investment of the shares coming to the minor heirs.

New Orleans, April 26, 1763.

(Signed): Huchet de Kernion; Delalande; Broutin, Clerk.

Homologation of above partition by the Superior Council.

May 7, 1763.—Having read the partition hereinabove set forth, the Superior Council homologated and does homologate the same, so that it may be executed according to its form and tenor; and ordered that the Shares coming to the minor heirs shall be invested to their best advantage according to the judgment of their Curator.

New Orleans, May 7, 1763.

(Signed): Kerlérec; Foucault; Fremeur; Chatillon; Huchet de Kernion; Lesassier; Chantalou; Delaunay; Delalande.

Receipt of Madame Marguerite Carriere, wife of Foucher, to Broutin, for her share in above succession.

May 17, 1763.—This Day, May 1763, at nine o'clock in the morning, appeared at the Registry of the Superior Council of this province, Madame Marguerite Carriere, wife of Sieur Foucher, by whom she was duly authorized to act herein, which appearer stated that Master Broutin, Royal Notary, had refused to pay her the portion coming to her from the succession of the late Joseph Carriere, her father; whereupon the Councillor Commissioner in this case, in the presence of the Procureur General of the King, ordered said Master Broutin to pay at once to the aforesaid appearer the part and share coming to her from the above statement and account of partition. Consequently the said Master Broutin remitted and paid in cash to said Madame Marguerite Carriere, wife of Sr. Foucher, the sum of 30,975

livres and 12 sols, in colonial notes, and the said Madame signified her satisfaction and released Master Broutin, who was in charge of the funds of said succession, and promised to have him acquitted also towards the said succession and against whomsoever else it may concern.

Executed in the Registry on said day, month and year, in the presence of Sieurs De Kernion and Delalande, and also of Sieurs Louis Boisdoré and Marin Pierre Bary, duly qualified witnesses, residing in this city.

(Signed) : Marguerite Carriere Foucher; Foucher; L. Boisdoré; Bary; Delalande; Huchet de Kernion; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

May 10.

No. 8384. 4 pp.

Contract of loan made by David Mendes France to Pierre L'Eglise, who granted a mortgage on his vessel "St. Pierre".

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, personally appeared Sieur Pierre L'Eglise, ship-owner and Captain of the vessel "Saint Pierre", now in this city but getting ready to sail for Cap-Francais or for another port of St. Domingo; which appearer admitted and acknowledged that he was indebted to Sieur David Mendes France, merchant, at present in this city, accepting for himself and for his heirs and assigns, the sum of 1250 livres in letters of exchange, in colonial currency, which, in St. Domingo currency, corresponds to the sum of 1875 livres, which Sieur L'Eglise promised to reimburse and pay back to Sieur Mendes, or to the bearer of a certified copy of these presents, within eight days after his arrival in St. Domingo. The said loan was granted at twenty-five per cent on said vessel "St. Pierre;" and in the event that the vessel should be lost, Sieur Mendes shall not claim either the principal or the interest from Sieur L'Eglise, as said Sr. Mendes assumed all risks and perils of the sea, as well as damages or whatsoever losses that might happen to the said vessel or to her cargo, which damages and losses he shall assume in proportion to the principal of his loan; it being understood that Sr. L'Eglise shall present a proper procès-verbal concerning such damages and losses. In security whereof Sieur L'Eglise granted a mortgage on his said vessel "St. Pierre", which cannot be sold nor mortgaged until payment of the above specified sum; and he adopted, for this purpose, his domicile at the residence of Sieur Pierre Robert, merchant of Port-au-Prince, where he consented that all acts required for the execution of these presents be passed and served.

Done in the Notarial Office of this city, on May 10, 1763, in the afternoon, in the presence of Sieurs Marin Bary and Antoine Foucher, competent witnesses.

(Signed): D. Mendes France; Bary; Foucher; Broutin, Notary.

Pierre L'Eglise declared that he could neither write nor sign.

Two copies delivered to Sieur Mendes by virtue of the order of Mr. Foucault. (Paraphed by Broutin.)

Petition of Mendes France for an order directing Broutin to deliver to him a second copy of the above contract of loan and mortgage.

May 24, 1763.—Petition to Monsieur Foucault, Commissioner of the Marine, acting Intendant of Louisiana at New Orleans:

Mendes France, master of the vessel "Le Magnifique", humbly prays and represents that he made a loan to Sieur L'Eglise, owner and master of the vessel "St. Pierre", which sailed for St. Domingo, and which loan was executed before Master Broutin, Royal Notary in this city, the said loan to be paid in St. Domingo; that the petitioner has sent to his correspondent at Cap Francais, Mr. Victorin, merchant of that place, the first copy of said act; that petitioner now has the opportunity of taking advantage of the sailing of the schooner "Armusiau Rasteau", and prays that it may please you to order Master Broutin to deliver to petitioner a second copy of the said contract of loan. And petitioner will never cease to offer up prayers for your prosperity. (Signed): Mendes France.

Delivery of second copy ordered.

May 24, 1763.—We Order Sieur Broutin to deliver to the petitioner, Sieur Mendes, a second copy of the act hereinabove mentioned. New Orleans, May 24, 1763. (Signed): Foucault.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

May 11.

No. 8385. 2 pp.

Sale of a tract of land by Francois Caminada to Jean Fenetou called Cavelier.

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, personally appeared Sieur Francois Caminada, Officer of the Militia and merchant of this city, who, by these presents, admitted and acknowledged having sold, conveyed, transferred and abandoned, from this moment and forever, with warranty against any troubles, debts, mortgages, eviction, substitution, alienation and any other impediment, to Sieur Jean Fenetou called Cavelier, also present and accepting in his own name and in behalf of his heirs and assigns, a tract of land measuring about seven arpents frontage by the usual depth of forty arpents, situated about eight leagues down the River, below this city and on this side of the River, adjoining on one side the property of the vendor and on the other side the property of one Fourqueux, on which tract of land stand no buildings nor fences whatever,

and which is accepted in its present condition by the buyer, who declared he was satisfied with it as he had seen, visited and examined the same and has been in possession of it since January 12th last. The said tract of land was purchased by the vendor from one Pierre Tassin and the latter's wife, Madame Jeanne Daubard, by act under private signature dated June 21, 1763, which deed under private signature, together with other similar deeds under private signature, was delivered by the vendor to the purchaser, who accept the conditions of sale without any other formalities and expressed satisfaction with these presents. The purchase price was agreed upon in the sum of 2000 livres in colonial notes, plus one yoke of oxen, the whole of which the vendor confessed and acknowledged to have received and for which he released the said purchaser.

Executed in the Notarial Office of this city on May 11, 1763, in the morning, in the presence of Sieurs Marin Bary and Antoine Foucher, competent witnesses.

(Signed): Caminada; Bary; Foucher; Broutin, Notary.

Fenetou declared that he did not know how to write or sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

May 13.

No. 8386. 3 pp.

Declaration of Jean Bantiste Garic concerning the shipwreck of the vessel "La Marie Catherine", on which he was sailing from St. Domingo to New Orleans, and the loss of papers and money entrusted to his care.

This Day, May 13, 1763, at nine o'clock in the morning, appeared in the Registry of the Superior Council of the Province of Louisiana Mr. Jean Baptiste Garic, Counsellor-at-law, who declared that on March first last he sailed from Cap Francais on the vessel named "La Marie Catherine", under the command of Pierre Baret, for the purpose of coming to this colony, and that on the seventh of said month, at about seven o'clock P. M., the said vessel was wrecked on the East Point of Pine Island, dependency of the island of Cuba; that all the cargo was lost and that he barely had time to jump into the lifeboat together with all the crew and save his life by landing on the said island. In consequence whereof the declarer lost the following papers with which he had been entrusted, namely: a letter of exchange drawn upon the declarer by Sieur Thiton in behalf of Sieur Raguet, for the account of Sieur Verigny, for the sum of 8500 livres; one bill of exchange to declarer's order, accepted by Sieur La Porte in behalf of Sieur Bunel, merchant of Cap (Francais), for an annuity due to said Sr. Bunel for the sum of 1050 livres; one promissory note to Sieur Cabrere, Counselor-at-law of Rieux, in favor of declarer, for the sum of 1500 livres; one obligation of Mr. Daidé, declarer's brother-in-law, in behalf of

declarer, in full settlement of the account of the succession of the late Mr. Garic, Senior, for the sum of 7000 livres; several other papers and deeds belonging to Madame Dubreuil Desmarchais; two tin boxes containing divers merchandise belonging to Mr. Langery; furthermore the appearer stated having lost the sum of 1450 livres delivered to him at Cahors by Sieur Bessé to be delivered to the latter's brother, Mr. Bessé, in this colony. The present declaration was made in the presence of Sieurs Pellerin, officer of the colonial troops, and Pierre Arrivé, merchant, both of whom were on board of the said vessel "La Marie Catherine" traveling together with the declarer, all three having arrived in this city yesterday in the afternoon, on board of an English schooner of New York, which schooner sailed from Havana on the 26th of last month for this colony; and the said Sieurs Pellerin and Arrivé also declared that the aforesaid vessel "La Marie Catherine" and the whole cargo was lost, as stated by declarer, Sr. Garic, who was granted, upon his request, a copy of his declaration to be used as he might see fit.

(Signed): Garic; P're Arrivé; Pellerin; Broutin, Clerk.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

May 16.

2 pp.

Petition to Foucault by Grenon De Flottemanville against Laporte, asking for judgment directing him to deliver 300 logs as per contract.

Petition to Mr. Foucault, Councillor of the King, acting Commissioner Intendant and First Judge of the Superior Council of the Province of Louisiana:

Grenon Deflottemanville humbly represents and prays that by virtue of an order of the Council he was condemned to deliver, within fifteen days, to Madame Azemare three hundred logs, each ten feet long, which petitioner agreed to deliver to said Madame Azemare, since November 16th last, when he sold her his plantation; that said timber was purchased by petitioner from Sieur La Porte, as it appears from the contract held by Madame Azemare, by which contract Sr. Laporte bound himself to deliver the said timber on the bank of the River by the end of February, 1762; that Sr. La Porte has received the price of said timber but has neglected to fulfill the said contract.

All this considered, may it please Your Excellency to allow the petitioner to summon Sr. La Porte at the first session of the Council and that judgment be rendered against him condemning him to deliver, without delay, the three hundred logs mentioned in the aforesaid contract, to reimburse petitioner the sum of 1060 livres and 10 sols, covering expenses incurred in the suit of Madame Azemare; and in default of such immediate delivery, that judgment be rendered condemning him to pay all damages and indemnity in consequence of said delay; and also costs. And may justice be done.

New Orleans, May 16, 1763. (Signed): Deflottemanville.

Permit to cite.

May 17, 1763.—Permit to summon granted. New Orleans, May 17, 1763. (Signed): Delalande.

Citation served.

May 19, 1763.—Citation served, upon request of Sieur De Flottemanville, by the Sheriff of the Superior Council on Sieur Laporte to appear before the Council on the first Saturday of the month of June, at eight o'clock in the morning. (Signed): Lenormand.

May 17.

3 pp.

Petition to the Superior Council by Jean Baptiste Garic, presenting his commission from the Crown appointing him Clerk of the Superior Council and Royal Notary of the Province of Louisiana, and requesting that his commission be recorded.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Jean Baptiste Garic, Counselor-at-law, humbly represents and prays that it pleased His Majesty to grant him a commission as Clerk for this Council; and upon his representation that the office did not give him enough to live on, unless the notarial business was added to it, the Minister was good enough to ask Messieurs the Governor and the Intendant to accept him again as Notary, when they were assured of his capacity to discharge the duties of that office.

The petitioner having had the honor to work under your eyes, Your Excellencies, in different matters for fifteen years, dares to flatter himself that the Council will do him justice by acknowledging his capacity to fill both offices; and it will be the endeavor of petitioner to show his impartial zeal and his accuracy in executing with all equity and integrity the two functions: the first, by drafting the decisions in such a manner as to show to the public the equity and the candor by which they were dictated, after they had been weighed in the balance of Justice in its Sanctuary; the second, by having all Public Acts serve as a guaranty for the ease, peace and tranquility of everyone; by giving full protection to the Widow and to the Orphan; by preserving family property; and by avoiding in the acts, that he will execute, all manner of dissension and litigation. This ardent desire, by which petitioner is animated, creates in him also a desire for Order and Rule.

As petitioner has discovered that Sieur Chantalou has introduced in this country the venal policy of selling copies from the notarial records, he finds it necessary to point out that he will not engage in the same practice. The Council, it is true, had allowed him to fill the said office, but it never granted him any title thereto.

This august Tribunal has not overlooked the fact that the nomination of Notary is a Royal prerogative, and that this Council simply has the right to make a temporary appointment until the King has issued his commission; and therefore the

official delegated by the Council is only a guardian of the said records, and in such capacity he cannot sell or alienate what was entrusted to him; and he has but to follow the example pursued in other colonies, where the sale of records is prohibited by Royal Proclamations, and this policy was observed with great care, there being no precedent of a sale of notarial records. This is a rule that petitioner will never break unless he be authorized to do so by New Proclamations.

Petitioner also has the honor to point out, Your Excellencies, that he is aware of the fact that several of the said records are informal, in that they have not been signed by the Notaries who kept them; and also that some of said records might have been misplaced for want of Inventory in proper form, and this would be contrary to good order and prove detrimental to the public interest, and may, perhaps, cause much litigation and many disputes.

And in order to prevent all the disorder that might arise, the petitioner prays that it may please Your Excellencies to accept the said Sieur Garic as Chief Clerk of the Council, to order that his commission be recorded, and that he shall enjoy the privileges and fees appertaining thereto; that, furthermore, it may please Your Excellencies, by virtue of the commission issued by the Crown, to accept him as Royal Notary of the province of Louisiana; and consequently to direct that all the records kept by his predecessors and all acts and deposits be delivered to him after a complete and accurate Inventory has been taken by a Commissioner that it may please You to appoint for this purpose, said Inventory to be taken in the presence of the Procureur General of the King.

Petitioner expresses his readiness to take the oath as required and as is customary in such case. And may justice be done.

New Orleans, May 17, 1763. (Signed): Garic.

May 17.

2 pp.

Petition by Plumcler praying for judgment against Simon Tregre for value of cattle the latter agreed to deliver for carpenter work done by petitioner.

Petition to Monsieur Foucault, Commissioner of the Marine, Intendant and First Judge of the Superior Council of Louisiana:

The undersigned, Plumcler, carpenter, humbly represents and prays that by virtue of agreement entered into with one Simon Tregre, inhabitant of the German Coast, the petitioner was to build a house for said Tregre, who was to give for said work two cows and one heifer; that, relying on said agreement, the petitioner agreed to sell the said cattle to Sieurs Thomas and Henry, also inhabitants of the German Coast, according to the statement herewith annexed; that at the

proper time the said Thomas and Henry requested Simon Tregre to deliver said cattle, but the latter refused to comply with said demand; that at present the cattle have greatly diminished in value.

Wherefore petitioner prays that it may please Your Excellencies to allow him to summon Simon Tregre to appear before the Council at its next session and that judgment be rendered against him directing him to pay, without delay, the sum of 2400 livres, representing the value of said cattle, and costs. And you will do right.

New Orleans, May 17, 1763. (Signed): Plumcler.

Permit to cite.

May 20, 1763.—Permit to summon to appear at the first session of the Council. New Orleans, May 20, 1763. (Signed): Foucault.

Citation served.

May 21, 1763.—Upon Plumcler's request, citation to appear before the Council, on the first Saturday of the month of June, was served on Simon Tregre, at the domicile of the Procureur General of the King, in his office in New Orleans, on May 21, 1763, by the Sheriff of the Superior Council. (Signed): Lenormand.

Statement by Gaudet and Mercier relating to above agreement.

May 2, 1763.—We, the undersigned carpenters, employed by Plummer to work for Sieur Simon Tregre, inhabitant of the German Coast, do hereby declare that said Tregre refused to deliver the cattle to Sieurs Thomas and Henry, within the period called for in the agreement of sale of said cattle by Plummer to Thomas and Henry. In faith whereof we have signed hereinbelow, on May 2, 1763. (Signed): Gaudet; Mercier.

The foregoing statement is written on a small piece of paper pinned to the above document.

May 19.

No. 8387. 2 pp.

Inventory and appraisal of the contents of a trunk and of a mulatto belonging to Laporte, and entrusted to Durel.

On May 19, 1763, in the morning, upon request of Jean Soubie, in the name and as holder of a power of attorney from Sieur Jacques La Jus, merchant of Cap Francais, Island of St. Domingo, and by virtue of an order of the Council rendered on the 7th of the present month, Messire Huchet de Kernion, Councillor of the Superior Council of the Province of Louisiana, Commissioner appointed in this case by an order of Mr. Foucault, granted this day and written at the bottom of the aforesaid order of the Council, in the absence of Sieur Augustin Chantalou, Commissioner appointed by the said Council, repaired, assisted by Mr. Lallande Dappremont, Procureur General of the King, and by Sr. Jean Baptiste Garic, Chief Clerk of

said Council and Royal Notary, to the residence of Sieur Durel, for the purpose of appraising the personal effects and a mulatto belonging to Sieur Laporte, for which appraisal the interested parties have agreed upon the following appraisers: Mr. Lesassier, Councillor of the Superior Council, in behalf of Sr. Soubie; and Sr. Girodeau in Sr. Durel's behalf, which appearers under oath declared that they would conscientiously value the said effects and mulatto, which were pointed out by Sieur Durel, who declared, under oath, that he concealed nothing; and the said appraisal proceeded as follows:

First, Sr. Durel opened a trunk in which the following effects, belonging to Sr. Laporte, were found, viz:

One civilian coat with lace trimming in silver:.....–for memorandum–
Item, one vest of gray Silesian cloth with silver lacing:.....–for memorandum–
Item, one crimson taffeta coat and one white bazin waistcoat:.....–for memorandum–
Item, three new shirts with scalloped cuffs:.....–for memorandum–
Item, eight other shirts, four of which were embroidered, and four plain ones:....–for memorandum–
Item, five pairs of new drawers:.....–for memorandum–
Item, seven pairs of silk stockings slightly worn:.....–for memorandum–
Item, eight pairs of linen socks much worn:.....–for memorandum–
Item, five cotton handkerchiefs:.....–for memorandum–
Item, five collars, much worn:.....–for memorandum–
Item, one old calico petticoat:.....–for memorandum–
Item, one waistcoat and one pair of breeches of black taffeta de Tour, slightly worn:.....–for memorandum–
Item, one gray Silesian pair of breeches:.....–for memorandum–
Item, one crimson taffeta pair of breeches:.....–for memorandum–
Item, one silver-gilt snuff-box:.....–for memorandum–
Item, one mulatto named Nicolas, about eight years old, appraised by the said appraisers at the sum of 1200 livres:.....1200 — —
Titles, deeds and papers:
Item, one promissory note of Sieur Poirel de La Didivier for the sum of 1350 livres, dated January 10, 1762:.....1350 — —
Item, one promissory note of Sieur Poirel de La Didivier, in favor of said Sr. Laporte, for the sum of 1050 livres, dated January 10, 1762:.....1050 — —

Which are all the effects belonging to said Sieur Laporte, that were found and which were entrusted to the keeping of Sieur Durel, who took charge of the same and promised to produce them whenever requested to do so; and the present Inventory and appraisal were closed in the presence of Sieurs Pierre Bary and Jean Baptiste Gauvain, merchant.

(Signed): B. Giraudeau; Lesassier; Durel; J. Gauvain; Garic, Notary.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

May 24.

2 pp.

Petition to the Superior Council by Joseph Zeringue, acting for widow La Croix, to obtain information secured at the autopsy of a negro killed by one of the Terbonne brothers, to be used as basis of a claim for damages.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Joseph Zeringue, inhabitant of this colony, acting in behalf of Madame the widow La Croix, his mother-in-law, very humbly represents and prays that last Saturday, 21st of the present month, at about seven o'clock P.M., two negroes named Jean and Jean Louis, belonging to the said Madame the widow La Croix, while going to the plantation of Madame the widow Piquery, were stopped on the levee of the plantation by the Terbonne brothers, residing at the Coast of the Chapitoulas on the plantation of Sieur Boisclair, on the other side of the River; and that one of the said Terbonnes, named Dupré, fired his musket at the said two negroes, killing one and wounding the other in the arm, side and thigh; that the said Terbonne, realizing then that he had acted wrongly by firing, had the two negroes taken to this city on the following day, Sunday the 22nd, in the morning, and this shows that said Terbonne had no right whatever to shoot at the two negroes, as they had not harmed anybody and were not doing any harm to anybody, nor were they on his land and therefore could not cause any material damage; that, yesterday, upon request of the Procureur General of the King, an autopsy was performed upon the dead negro by Sieur Gardrat, Surgeon Major, in the presence of Mr. De Launay, Councillor of the Superior Council, Commissioner appointed in this case, and in the presence of the Procureur General of the King.

Wherefore petitioner prays that it may please Your Excellencies to acknowledge his complaint and that he be allowed to obtain the information that was secured at the autopsy, so that he will be in a position to hold the said Terbonne liable for the price of the negro whom he killed and for all medical expenses, medicines, damages and interest growing out of the wounds inflicted by the said Terbonne on the negro named Jean Louis.

said Council and Royal Notary, to the residence of Sieur Durel, for the purpose of appraising the personal effects and a mulatto belonging to Sieur Laporte, for which appraisal the interested parties have agreed upon the following appraisers: Mr. Lesassier, Councillor of the Superior Council, in behalf of Sr. Soubie; and Sr. Girodeau in Sr. Durel's behalf, which appearers under oath declared that they would conscientiously value the said effects and mulatto, which were pointed out by Sieur Durel, who declared, under oath, that he concealed nothing; and the said appraisal proceeded as follows:

First, Sr. Durel opened a trunk in which the following effects, belonging to Sr. Laporte, were found, viz:

One civilian coat with lace trimming in silver:.....–for memorandum–
Item, one vest of gray Silesian cloth with silver lacing:.....–for memorandum–
Item, one crimson taffeta coat and one white bazin waistcoat:.....–for memorandum–
Item, three new shirts with scalloped cuffs:.....–for memorandum–
Item, eight other shirts, four of which were embroidered, and four plain ones:....–for memorandum–
Item, five pairs of new drawers:.....–for memorandum–
Item, seven pairs of silk stockings slightly worn:.....–for memorandum–
Item, eight pairs of linen socks much worn:.....–for memorandum–
Item, five cotton handkerchiefs:.....–for memorandum–
Item, five collars, much worn:.....–for memorandum–
Item, one old calico petticoat:.....–for memorandum–
Item, one waistcoat and one pair of breeches of black taffeta de Tour, slightly worn:.....–for memorandum–
Item, one gray Silesian pair of breeches:.....–for memorandum–
Item, one crimson taffeta pair of breeches:.....–for memorandum–
Item, one silver-gilt snuff-box:.....–for memorandum–
Item, one mulatto named Nicolas, about eight years old, appraised by the said appraisers at the sum of 1200 livres:.....1200 — —

Titles, deeds and papers:

Item, one promissory note of Sieur Poirel de La Didivier for the sum of 1350 livres, dated January 10, 1762:.....1350 — —
Item, one promissory note of Sieur Poirel de La Didivier, in favor of said Sr. Laporte, for the sum of 1050 livres, dated January 10, 1762:.....1050 — —

Which are all the effects belonging to said Sieur Laporte, that were found and which were entrusted to the keeping of Sieur Durel, who took charge of the same and promised to produce them whenever requested to do so; and the present Inventory and appraisal were closed in the presence of Sieurs Pierre Bary and Jean Baptiste Gauvain, merchant.

(Signed): B. Giraudeau; Lesassier; Durel; J. Gauvain; Garic, Notary.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

May 24.

2 pp.

Petition to the Superior Council by Joseph Zeringue, acting for widow La Croix, to obtain information secured at the autopsy of a negro killed by one of the Terbonne brothers, to be used as basis of a claim for damages.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Joseph Zeringue, inhabitant of this colony, acting in behalf of Madame the widow La Croix, his mother-in-law, very humbly represents and prays that last Saturday, 21st of the present month, at about seven o'clock P.M., two negroes named Jean and Jean Louis, belonging to the said Madame the widow La Croix, while going to the plantation of Madame the widow Piquery, were stopped on the levee of the plantation by the Terbonne brothers, residing at the Coast of the Chapitoulas on the plantation of Sieur Boisclair, on the other side of the River; and that one of the said Terbonnes, named Dupré, fired his musket at the said two negroes, killing one and wounding the other in the arm, side and thigh; that the said Terbonne, realizing then that he had acted wrongly by firing, had the two negroes taken to this city on the following day, Sunday the 22nd, in the morning, and this shows that said Terbonne had no right whatever to shoot at the two negroes, as they had not harmed anybody and were not doing any harm to anybody, nor were they on his land and therefore could not cause any material damage; that, yesterday, upon request of the Procureur General of the King, an autopsy was performed upon the dead negro by Sieur Gardrat, Surgeon Major, in the presence of Mr. De Launay, Councillor of the Superior Council, Commissioner appointed in this case, and in the presence of the Procureur General of the King.

Wherefore petitioner prays that it may please Your Excellencies to acknowledge his complaint and that he be allowed to obtain the information that was secured at the autopsy, so that he will be in a position to hold the said Terbonne liable for the price of the negro whom he killed and for all medical expenses, medicines, damages and interest growing out of the wounds inflicted by the said Terbonne on the negro named Jean Louis.

Petitioner also states that he will prosecute the said Terbonne and that he will ask the Procureur General of the King to take part in the prosecution in order to vindicate the public. And may justice be rendered.

New Orleans, May 24, 1763. (Signed): Zeringue.

May 24.

2 pp.

Petition by Pierre Brousseau for judgment directing Braquier, as the representative of Lamontagne and Company, to deliver to him a hogshead of rum from the cargo of the vessel "La Societe".

Petition to Monsieur Foucault, Commissioner of the Marine, Intendant of Louisiana:

Pierre Brousseau, second mate of the vessel "La Societe", which sailed from Port-au-Prince, humbly represents and prays that, in consideration of his good services and care, Sieurs Lamontagne and Company had agreed to have Sieur Braquier deliver to him at New Orleans one hogshead of rum from the cargo of the said vessel.

Wherefore petitioner prays that it may please Your Excellencies to allow him to summon said Sr. Braquier to appear at the first session of the Council that judgment might be rendered ordering him, as the representative of the said Lamontagne and Company, to deliver to the petitioner the said hogshead of rum. And you will do right.

New Orleans, May 24, 1763. (Signed): Brousseau, suppliant.

Permit to cite.

May 30, 1763.—Permit to summon before the Council at its first session. New Orleans, May 30, 1763. (Signed): Foucault.

Citation served.

May 30, 1763.—On Request of Sieur Brousseau, on May 30, 1763, citation was served upon Sieur Braquier, merchant, to appear before the Superior Council on Saturday, June 4th next. (Signed): Lenormand.

May 26.

No. 8388. 2 pp.

Account rendered by Pujeau, curator of the Daublin minors, to Nicolas Daublin.

Account rendered by Pujeau, curator of the Daublin minors, to Nicolas Daublin, of lawful age and acting for himself, concerning half of the funds paid to said curator and belonging to said minors.

First, Receipts:

The sum of 5000 livres paid to said curator at the time of the partition, half of which belongs to said Nicolas Daublin, the latter half being: livres:.....2500 — —

Item: the sum of 712 livres coming from the plantation of the Daublin succession: the share coming to Nicolas Daublin:..... 356 — —

Item: the sum of 1875 livres, as interest on the said 5000 livres, from October 8, 1753, to October 8, 1759: Nicolas Daublin's share:	937–	10–
Item: the sum off 55 livres and 8 sols, interest on the said 712 livres: Nicolas Daublin's share:	26–	14–
Item: the sum of 642 livres and 12 sols, interest on the said principal, from October 8, 1759, to October 8, 1762:	642–	12–
Total:	4462–	16–

Disbursements:

The sum of 880 livres and 2 sols paid by the said curator to Nicolas Daublin by order of Mr. Raguet, Procureur General of the King, according to Daublin's receipt of June 16, 1758:	880–	2–
Item: the sum of 100 livres that Nicolas Daublin received from Mr. Raguet, Jr., according to Daublin's receipt of May 22, 1761:	100	— —
Item: the sum of 202 livres and 16 sols paid by the said curator to Nicolas Daublin, according to the latter's receipt of October 1, 1759, for interest:	202–	16–
Item: the sum of 27 livres and 10 sols paid for account of Nicolas Daublin, by order of said Mr. Raguet, to Mr. Chantalou, according to the latter's receipt:	27–	10–
Making a total of:	1210–	8–

Summing up:

Total receipts:	4462–	16–
Total expenditures:	1210–	8–
Therefore the receipts exceed the expenditures by the sum of:	3252–	8–

I do hereby affirm and certify that the present statement is true and correct. New Orleans, May 26, 1763. (Signed): Puieau.

Nicolas Daublin's acknowledgment and release to Pujeau, his former curator.

May 26, 1763.—Before the Royal Notary of Louisiana personally appeared Sieur Nicolas Daublin, who declared that he had read and examined the above statement and account rendered by Sieur Pujeau, his curator, which account he acknowledged as being just and equitable, and he signified his approval of same; accordingly the appearer stated and confessed having received,

this date, the net balance due him, amounting to the sum of 3252 livres and 8 sols, which was remitted to him in cash by Sr. Pujeau, in the presence of the undersigned Notary, and for which Sr. Daublin acquitted Sr. Pujeau and promised to have him also discharged by whomsoever else it may concern; while Sr. Pujeau renounced all responsibility he had assumed when he accepted the tutorship.

Executed in the Notarial Office of this city on May 26, 1763, in the presence of Sieurs Marin Lenormand and Francois Becat, duly qualified witnesses.

(Signed) : Puieau; F. Becat; Lenormand; Garic, Notary.

Nicolas Daublin stated that he could neither write nor sign.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

May 26.

No. 8389. 1 p.

Discharge by Francois Marcantelle to Pierre Ricard.

Before the Notary of Pointe Coupée, in the presence of the witnesses hereinbelow mentioned and undersigned, personally appeared Francois Marcantelle, inhabitant of this Post, who, by these presents, declared, acknowledged and confessed that he received from Sieur Pierre Ricard, store-keeper of the King at said Post, the sum of 7500 livres for the conveyance and transfer of a plantation, slaves, cattle and implements connected with said plantation, as is more specifically set forth in the act of transfer executed before the undersigned Notary on January 22, 1759, between said Sr. Marcantelle and the late Anne Rondo, his wife, on one side, and the said Sieur Ricard on the other side; for which sum Sr. Marcantelle released Sr. Ricard and whomsoever else it may concern.

Done and passed at the said Post on May 26, 1763, in the morning. Witnesses: Sieurs Louis Renaud Duval and Francois Croizet.

(Signed) : Marcantell; Duval; Croizet; Benoist, Notary.

(Signed, in margin) : Devergés; De Reggio; Ducros.

May 27.

2 pp.

Statements relating to a contract for building house, between Simon Tregre and one Plimbler (or Plumcler). See above under May 17, 1763, for petition of Plumcler in the same controversy.

I, the undersigned Jaquin Percle, do hereby certify that Sr. Plimbler, carpenter, engaged in building a house for Simon Tregre, told me that it would be a long time before Tregre's house would be finished, explaining that on account of the high price of food, said Tregre refused to feed the workers, and consequently they broke the contract. In faith whereof I make the present statement to be used in case of need. As I do not know how to sign I make my ordinary mark. German Coast, May 27, 1763.

(Signed) : Ordinary X mark.

Similar statements, made on May 28, 1763, at the German Coast, also under ordinary marks, by Lionar La Signie and Jan Caient.

Additional statements in the same controversy: (1) By Francois Holivier.

May 28, 1763.—I, Francois Holivier, do hereby certify that Sieur Simon Tregre kept his cattle enclosed for eight days, as Sieur Plimbler had told him that he had sold one cow to Mr. Thomas, who during the aforesaid period of eight days did not appear to claim his cow. In faith whereof I give the present statement to be used in case of need; and make my ordinary mark because I cannot sign. German Coast, May 28, 1763. (Signed) : Ordinary X mark.

(2) By Francois Poche.

May 29, 1763.—I Francois Poche, do hereby certify that Sieur Simon Tregre had shut his cattle up in my presence, saying that Sieur Plimbler had sold a cow to Sieur Thomas, and that he received a note from Monsieur de La Reinsbour forbidding him to deliver any cattle to Sr. Plimbler, before the latter had paid two hundred livres he owed to Monsieur de La Reinsbour. In faith whereof I give the present statement; and not knowing how to sign I make my ordinary mark. German Coast, May 29, 1763. (Signed) : Ordinary X mark.

(3) By Francois Holivier.

May 29, 1763.—I, Francois Holivier, do hereby certify that Sieur Sanquartier in my presence forbade Sieur Simon Tregre to deliver any cattle to Sieur Plimbler until the latter had paid the sum of eleven hundred livres he owed him; in faith whereof I give the present statement to be used in case of need. I make my ordinary mark as I do not know how to sign. German Coast, May 29, 1763. (Signed) : Ordinary X mark.

(4) By Aury Fesprement.

May 30, 1763.—I, Aury Fesprement, do hereby certify that Sieur Plimbler wanted to sell some cattle and told me that he would not sell them before he had finished the house he was building for Sieur Simon Tregre. Moreover I do certify that Sieur Thomas told me that he had bought a cow from Sr. Plimbler and that he would get it only after Sr. Plimbler had finished the said house. In faith whereof I make the present statement to be used in case of need; and make my ordinary mark not knowing how to sign. German Coast, May 30, 1763. (Signed) : Ordinary X mark.

(5) By Jaquin Percle.

May 30, 1763.—I, Jaquin Percle, do hereby certify that Sieur Sanquartier forbade Sieur Simon Tregre to deliver the cattle he had sold to Sieur Plimbler, unless the latter paid said Sr. Sanquartier eleven hundred livres he owed him. In

faith whereof I make the present statement. As I do not know how to sign I make my ordinary mark. German Coast, May 30, 1763. (Signed): Ordinary X mark.

May 28.

4 pp.

Petition to the Superior Council by Jean Guichard against Jerome Matutich, captain of the vessel "Le St. Antoine", for a writ of sequestration directed against said vessel, the ownership of which Matutich is alleged to have concealed.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Jean Guichard, in his own interest and acting under power of attorney of the partners associated in the fitting out and operation of the privateer named "Le St. Antoine" of Port-au-Prince, under the command of Jerome Matutich, humbly prays that it may please Your Excellencies to allow him to have said Sieur Matutich summoned, by extraordinary process, before the Superior Council, for the following reasons:

That since his arrival in this city the petitioner tried his best to reach an amicable settlement with said Sr. Matutich in reference to the prizes he captured and sold in foreign countries; and with Sr. Matutich's consent, the interested parties, unanimously, selected Sieur Frolo of this city under an agreement that all prizes, being the object of dispute, be referred to him for settlement as he saw fit;

That Sr. Frolo took up the matter and concluded, with the acquiescence of Sr. Matutich, that a sum of 120,000 livres was due to the interested partners; but, as Sr. Matutich claimed a special share in the business, by virtue of an agreement passed between himself and Sieur Lucas, merchant of Port-au-Prince, the principal interested partner, the said Sieur Matutich was allowed to secure said evidence on the first occasion he would go to St. Domingo, in default whereof he should give an account of the proceeds of all the prizes;

Whereupon Sr. Matutich persuaded petitioner to purchase a vessel, promising to take an interest for a half share, so that he might go to St. Domingo for the purpose above explained;

That Sr. Matutich, far from complying with his promise, which he made only in order to gain time, neglected to give an account of the said sum of 120,000 livres, as well as of the other sum of 51,773 livres, 4 sols and 3 deniers, representing the half share, which he refused to take, in the purchase of said vessel, as above stated;

That Sr. Matutich bought, in an underhand manner, a vessel from Sieur Viviat, in which transaction Sieur L'Eglise appeared as the buyer, but was so only in name, since, according to public rumors and to what Sr. Matutich told divers per-

sons, the latter paid and remitted to Sieur Viviat the sum of 34,000 livres, representing the purchase price of said vessel, which he sent to St. Domingo under the command of the said Sr. L'Eglise, and which, at present, is about ten leagues from this city to take cargo.

All this considered, Your Excellencies, petitioner requests that the vessel under the command of Sr. L'Eglise be sequestrated where she is, until Sr. Matutich has settled the matter concerning the aforesaid purchase made by the petitioner; and that Sr. Matutich be ordered to go to Port-au-Prince on petitioner's vessel, or on any other vessel sailing about the same time, for the purpose above explained. And may justice be rendered.

New Orleans, May 28, 1763. (Signed): Guichard.

Permit to cite.

May 30, 1763.—Permit to summon to appear at the first session of the Council. New Orleans, May 30, 1763. (Signed): Foucault.

Citation served.

May 30, 1763.—On Sr. Guichard's request, citation was served, on May 30, 1763, by the Sheriff of the Superior Council, upon Gerome Matutich, shipmaster, at the residence of Sieur Timballier, where he elected his domicile, to appear before the Council next Saturday, June 4th, at eight o'clock in the morning. (Signed): Lenormand.

May 28.

No. 8390. 1 p.

Declaration by Antoine Olivier of his intention to take an appeal to the King's Privy Council from an award by arbitration rendered against him in favor of Jean Jacques Corail.

This Day, May 28, 1763, in the afternoon, appeared at the Registry of the Superior Council of the Province of Louisiana Sieur Antoine Olivier, merchant and shipowner, who declared and affirmed, in the presence of the witnesses hereinbelow mentioned and undersigned, that he desired and intended to take an appeal to the King's Privy Council from the award by arbitration rendered against him and in favor of Sieur Jean Jacques Corail on the 16th of the present month; and also from the homologation of the said award by Mr. Foucault, acting Commissioner of the Marine, Intendant and First Judge of said Council, of the 24th of the present month; and in point of fact the said appearer does appeal to the King's Privy Council from the aforesaid award and homologation; and he appointed and constituted as his attorney for said purpose, Sieur Cazelon, Chief Counselor, residing in Paris on New St. Eustache Street, to whom he will at once forward his documents; and appearer prayed for an official certificate of the present act, which was

granted to him; and he deposited the sum of 450 livres, as costs, in conformity with the Council's order.

Done and passed in the Office before the undersigned Clerk, in the presence of Sieur Jean Baptiste Laporte and Michel Frilou, residing in this city.

(Signed): A. Olivier; Friloux; Laporte; Garic, Clerk.

(Signed, in margin): Devergés; De Reggio; Ducros.

May 28.

No. 8391. 1 p.

Antoine Olivier, pending appeal mentioned in the preceding case, prays for an order permitting him to deposit in the Registry of the Superior Council the amount claimed by Jean Jacques Corail.

This Day, May 28, 1763, in the afternoon, appeared at the Registry of the Superior Council of Louisiana Sieur Antoine Olivier, merchant and shipowner residing in this city, who declared that notwithstanding the appeal taken by him today in the Registry from the award by arbitration and the homologation of same, rendered in favor of Sieur Jean Jacques Corail on May 16th and 24th last, which appeal is to be taken to the King's Privy Council, the said appearer offered Sieur Corail to deposit in the Registry of said Council the amount that he might owe or that Sr. Corail is claiming, until decision of the cause, at the risk and peril of whom it may concern, the said consignment being made for the reason that Sr. Corail has no fixed residence in this country, where he goes from place to place; for which tender appearer prayed for an official certificate, which was granted him.

Done and passed in the said Registry in the presence of Sieur Pierre Bary, witness, residing in this city.

(Signed): Bary; A. Olivier; Garic, Clerk.

(Signed, in margin): Devergés; De Reggio; Ducros.

May 30.

No. 8392. 1 p.

Protest filed by Jean Jacques Corail against the appeal taken to the King's Privy Council by Antoine Olivier, on the ground that said appeal was not lodged within the legal time limit.

This Day, May 30, 1763, in the morning, appeared in the Registry of the Superior Council of Louisiana Sieur Jean Jacques Corail, Captain of the vessel "Le Telemaque", who stated and declared that the sum of 38,000 livres was due him by Sieur Olivier, merchant of this city, for the recovery of which he is detained in this city; that he obtained an award against the said Sr. Olivier, who, in an attempt to evade, took an appeal on May 28th last to the King's Privy Council; that the said award was rendered and served on May 26th, therefore the said appeal could not be received, as it was not lodged within the legal time of twenty-four

hours. Consequently the said appearer files his protest and claims from Sr. Olivier all expenses, costs, damages, losses through delay of sailing, crew's wages, and holds him liable for all consequences that may arise in a cause of this kind, the appearer being ready to abandon his said vessel at the expense, risk and peril of whom it may concern, since appearer cannot leave this colony without the said sum of money. And of all the foregoing he requested an official certificate, which was granted to him.

Executed in the Registry in the presence of Sieurs Pierre Couturier and Pierre Bary, competent witnesses, residing in this city.

(Signed) : J. J. Corail; Couturier; Bary; Garic, Clerk.

(Signed, in margin) : Devergés; De Reggio; Ducros.

(To be continued.)

INDEX TO THE SPANISH JUDICIAL RECORDS OF LOUISIANA
LXXI.

September, 1784.

(Continued from July, 1941, Quarterly)

By LAURA L. PORTEOUS
(With Marginal Notes by Walter Prichard)

Spanish officials appearing in this installment:

Esteban Miró, Colonel of the Fixed Regiment of Infantry of this Place, and Acting Governor of the Province of Louisiana.

Juan Doroteo del Postigo y Balderrama, Assessor General and Auditor of War.

Francisco Maria de Reggio, Regidor Alfarez Real and Senior Alcalde Ordinario.

Juan Esteban (Jean Etienne) Boré, Junior Alcalde Ordinario.

Luis Toutant Beauregard, Alcalde Mayor Provincial of the City of New Orleans.

Leonardo Mazange, Sindico Procurador of this City (Attorney General for the City corporation).

Pedro Bertonière, Procurador Publico del Numero (One of a special number of lawyers commissioned to practice before the Courts).

Antonio Mendez, Procurador Publico del Numero.

Rafael Perdomo, Escribano Publico (Notary Public and Clerk of the Court).

Fernando Rodriguez, Escribano Publico.

Nicolas Forstall, Senior Alcalde Ordinario (1785).

Nicolas Fromentin, Deputy Sheriff.

Dr. Joseph Montegut, Surgeon of the Royal Hospital.

Dr. Juan Senac, Surgeon of this Province.

Luis Lioteau, Official Taxer of Costs of Court.

Attorneys: Pedro Ignacio Cowley; Francisco Broutin.

Appraisers: Joseph Adrian de la Place; Guillermo Guignan; Estevan Plauché; Antonio de Jean.

September 2, 1784.

Executory Process. Leonardo Mazange vs. Mr. Loisel (Juan Luis).

No. 65. 10 pp.

Court of Governor Esteban Miro.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

To collect a debt.

This suit to collect a debt by executory process presents no points of interest that are not common to all similar suits.

There is a note on page 1 stipulating that, pursuant to a decree on page 8, two notes formerly filed here were delivered to Luis Loisel, who acknowledges to have received them and draws a formal receipt for same, which he signed. This proceeding was attested to by Rafael Perdomo.

The plaintiff sets forth that it is evident from the two notes, duly presented, that (Juan) Luis Loisel owes him 493 pesos. The debt was incurred in this way, 420 pesos paid by Pedro Henrique Derneville to Francisco Braquier for several casks of rum delivered to the defendant in accordance with the order and under the bond of the said Mr. Derneville, because the latter had received the said sum from the plaintiff as appears from the transfer at the end of note No. 1. The remaining 73 pesos proceed from note No. 2. Mr. Mazange has reminded Mr. Loisel several times to pay this debt, but has never been able to collect his money, therefore he prays the Court to order his opponent, under oath and without delay, to verify his signatures to both notes and to acknowledge whether or not he owes the amounts specified and whether the contents of note No. 1 is correct, because the plaintiff has paid this obligation for him, and done deliver his declaration to Mr. Mazange to be used to enforce his rights. Governor Miro, on Juan del Postigo's advice, rules: The two notes having been presented, let the defendant verify them under oath and, in the case of Note No. 1, whether Mr. Mazange paid this amount for him and that up to now he has not refunded the money. The taking of this declaration will be entrusted to the Escribano, and done send it to the Court.

Declaration.

In the city of New Orleans, on September 3, 1784, the Escribano, in virtue of the commission conferred upon him, went to Juan Loisel's home, where he received his oath taken by God and the Cross, according to law, under charge of which he promised to speak the truth, and upon placing the two notes before him he declared that the first note is true in all its contents, because Mr. Mazange paid Mr. Derneville and Mr. Carriere as he has stated in his petition, and that the amount stipulated is still due him. Regarding the second note, the signature at the end is his. He answered that what he has declared is the

truth, under charge of his oath; he is 39 years of age, and he signed, to which the Escribano attests.

The plaintiff petitions for a Writ of Execution.

Leonardo Mazange petitions to say that according to the defendant's declaration he owes him 493 pesos, therefore may it please the Court to issue a writ of execution against all or any of the latter's property, sufficient to pay the debt, its one-tenth and costs.

Decree ordering the Writ of Execution.

In the city of New Orleans, on September 10, 1784, Esteban Miro, Colonel of the Fixed Regiment of this Place and acting Governor of the Province, said: That he must order and does order a writ of execution issued against Luis Loisel for the sum of 493 pesos, its one-tenth and costs caused or that may be caused up to the full and effective payment, for this is his decree, thus he has provided, ordered and signed. Fees 2 pesos.

Marginal Note.

A marginal note stipulates that the writ of execution which was ordered has been issued and delivered to the party. (Signed) Perdomo.

The Writ.

Let the Sheriff, or in his place the Deputy Sheriff, request Juan Luis Loisel to pay Leonardo Mazange, immediately, the sum of 493 pesos, and if he does not pay the said sum, its one-tenth and costs, at once, take execution against all or any of the defendant's property, making a formal seizure of same, and place whatever has been attached in the General Receiver's keeping, in accordance with the decree rendered this day, on the advice of the Assessor. Thus it is ordered. New Orleans, September 10, 1784. (Signed) Estevan Miro. By Order of His Lordship. (Signed) Rafael Perdomo.

The Deputy Sheriff reports the service of the Writ.

In the city of New Orleans, on September 14, 1784, before the Escribano appeared Nicolas Fromentin, Deputy Sheriff, and he said that with the Writ, on the reverse side of this paper, he requested Juan Luis Loisel to pay Leonardo Mazange, immediately, the amount specified in the Writ, and the former not having done so nor shown anything that could be seized, he left the writ open to be carried into effect at some future time when other property might be located. He requested to have this set down as a matter of record. The witnesses were Francisco Carcasses and Manuel Monrroy, here present. (Signed) N. Fromentin, before Rafael Perdomo.

The Litigants settle their case.

Leonardo Mazange and Juan Loisel, in a joint petition, state that the case has been settled upon the payment of the debt by Mr. Loisel, therefore, they pray the Court to order the notes removed and a taxation of costs made, which the defendant will pay. Governor Miro, on Assessor Postigo's advice, receives this petition and on September 16, 1784, decrees: Considering that a settlement of their differences has been made by these parties, let the two notes be returned to Luis Loisel. And let the costs be taxed, which will be paid by the defendant. (Signed) Estevan Miro and Licenciado Postigo.

Decree.

Notification, acceptation and oath.

On the said day, month and year (September 16, 1784), the Escribano personally notified Luis Lioteau, Public Taxer, and he said that he accepted and did accept and swore by God and the Cross, according to law, to proceed well and faithfully with the duties of his office, and he signed, to which the Escribano attests.

Taxation of Costs.

The costs of the case are taxed at 11 pesos 2 reales, by Luis Lioteau, on September 18, 1784.

September 2.

Francisco Lioteau vs. Mr. Dubuclet.

No. 107. 4 pp.

Court of Governor Esteban Miro.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

To collect a debt.

This suit to collect a debt illustrates the necessity of having Court action in order to validate the settlement reached by the parties out of Court, after suit to enforce payment of a note has been entered.

A note on page 1 stipulates that on September 9, 1784, the Escribano delivered the note, filed here, to Francisco Lioteau, in accordance with the settlement made out of Court, and for which a formal receipt has been granted. (Signed) Francisco Lioteau and Perdomo.

Francisco Lioteau avers that it is evident from the note duly presented that Mr. Dubuclet owes him 224 pesos, at date of maturity, now long since past, and although he has asked for his money many times he has not been able to collect it, therefore he prays to have the defendant, under oath and without delay, verify his signature and acknowledge he owes the debt, and done deliver his declaration to the petitioner to enable him to enforce his rights. Governor Miro, on Assessor Postigo's advice, rules: The note having been

presented, let Mr. Dubuclet swear and declare to its contents, as requested, the taking of the testimony to be entrusted to the Escribano, and done let the declaration be delivered to the plaintiff.

Francisco Lioteau again petitions, this time to say that it has not been possible to notify the defendant of the foregoing decree, because he lives in the country, therefore he prays for a writ of citation and to entrust its delivery to some competent person, or a Minister of Justice. Governor Miro, on Assessor Postigo's advice, rules: Issue the Writ that has been requested and entrust its delivery to Nicolas Fromentin, Deputy Sheriff.

A marginal note states that the Writ which was ordered has been issued and delivered to Nicolas Fromentin, Deputy Sheriff.

The Writ.

By decree rendered by the Governor, it is ordered to issue the present Writ, so that Nicolas Fromentin may go to Mr. Dubuclet's house to notify him to appear in the Escribano's office to make a certain declaration he is required to give. New Orleans, September 4, 1784. (Signed) Rafael Perdomo.

According to the note filed at the beginning of this suit, the case was settled out of Court, therefore no further proceedings are recorded in this folio.

September 3.

Luis Toutant Beauregard, as agent for Andres Albares, vs. the Succession of Francisco Muñoz, to collect a debt.

No. 143. 53 pp.

Courts of Alcaldes Francisco Maria de Reggio and Nicolas Forstall.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

This suit, brought by the New Orleans agent of a creditor living in Cuba, to collect a small debt contracted in 1768 from the succession of the debtor, re-

This suit opens with the filing of a certified copy of a Procuration, written on officially stamped paper, which reads in part that Andres Alvarez, Alcalde of the Santa Hermandad of the city of Santiago, Cuba, and residing there, grants a full and complete Power of Attorney to Bartolome Bracquet, as a first selection, and to Luis Toutant Beauregard, father or son as a second choice, both living in Louisiana, who are specially empowered to represent him during his absence for all rights and actions, to make demands and to collect debts judicially or extrajudicially, from Francisco Muñoz, resident of New Orleans, who owes the grantor 190 pesos as appears from the note duly signed by him, here included. This Notarial

cently deceased in New Orleans, is interesting on account of the legal procedure involved. After the validity of the claim has been judicially established, the testamentary executor of the deceased debtor enters a plea of prescription to avoid payment. The Court, however, overrules this plea and orders the debt paid from the proceeds of the debtor's succession.

Act was drawn up in the city of Havana, November 28, 1782, before Nicolas de Frias, Notary Public. The Notary's signature is attested to before Francisco de Lara.

Francisco Muñoz' note.

The second entry is Francisco Muñoz' promissory note, dated Santiago, August 28, 1768, and is to the effect that the maker of same is a resident of Havana and obligates himself to pay Andres Albares the sum of 190 pesos which he owes him. (Signed) Frano. Muñoz.

Luis Toutant Beauregard petitions to collect the foregoing note.

Luis Toutant Beauregard, Alcalde Mayor Provincial of this city, petitions to say that he has just received the procuration, duly presented, from Andres Alvarez, a resident of Santiago and Havana, Cuba, together with the note made by the late Francisco Muñoz, in favor of his client, for the sum of 190 pesos, and considering that the Muñoz estate owes this debt, he prays the Court to order his testamentary executor to pay it. In a secondary petition, he prays to name Pedro Ignacio Cowley, with the Court's approval, as attorney to prosecute this suit and that his appointment to act be filed with the records of the case. Francisco Maria de Reggio rules: The obligation and power of attorney having been presented, let the present Escribano compare the writing and signature of the obligation with those in his Archives made by the deceased, and done let the testamentary executor and guardian of the estate of the late Francisco Muñoz acknowledge, swear and declare whether the writing and signature on the said obligation is that of the decedent. Entrust the taking of this declaration to the Escribano, and done deliver it to the plaintiff. The secondary petition is denied because the party has not presented the document empowering his attorney to act in this cause. And so as not to impede the course of the main suit, let this instance, as well as all others that may be brought against the Muñoz Succession, be set down in separate copy books.

Comparison of signatures.

In fulfillment of the foregoing decree, the Escribano, having compared the signature at the end of the note filed on page 3, said to be that of Francisco Muñoz, with those on several papers in his keeping, bearing the same name, upon examining them with great care, although he finds a difference in the formation of the letters, to all appearances the one on the note and those in his Archives seem to have been made by the same person, and in testimony whereof he sets the present down in New Orleans, September 4, 1784.

Declaration.

In the city of New Orleans, on September 6, 1784, the Escribano, in virtue of the commission conferred upon him by the foregoing decree, went to the home of Antonio Ramis, Testamentary Executor of the late Francisco Muñoz, where he received his oath, which he took by God and the Cross, according to law, under charge of which he promised to speak the truth, and having placed on manifest the obligation filed on page 3, signed by the deceased, he said it seems to him that the signature and writing of the note are the same that Mr. Muñoz was accustomed to make, and that he recognizes it as such. He answered that what he has declared is the truth, under charge of his oath, he is 45 years of age, and he signed, to which the Escribano attests. (Signed) Antonio Ramis, before Rafael Perdomo.

Maria Ignacia Rodriguez petitions for the records of the case.

Maria Ignacia Rodriguez, through Antonio Mendez, her substitute attorney, in the proceedings to settle Francisco Muñoz' estate and the suit instituted by the Chevalier Regidor Alcalde Mayor Provincial, acting for Andres Albarez (Alvarez), resident of Havana, to collect a debt, etc., sets forth that at the instance of the latter this Court ordered her husband, Antonio Ramis, Muñoz' testamentary executor, to examine and verify the signature and writing of the note filed on page 3, and done deliver his declaration to the plaintiff so that he might take suitable proceedings, and having decreed in conformity to his request and the deposition having been made, up to the present he has not availed himself of the information the Escribano has obtained. In a secondary petition, she prays the Court to order the certification verified and delivered to her. Alferez de Reggio rules: As it is prayed in both petitions.

Certification upon examination of the proceedings.

Rafael Perdomo, Escribano Publico for War, the Royal Treasury and Registration, certifies and attests that Luis Toutant Beauregard, Regidor Alcalde Mayor Provincial, presented himself before the former, in the Court of Francisco Maria de Reggio, Alcalde Ordinario of this city and its Jurisdiction for His Majesty, to request that the testamentary executor and guardian of the estate of Francisco Muñoz, now deceased, verify the note and its signature, filed on page 3, and a decree having been rendered in accordance with the plaintiff's petition, verification was made, by deposition, but up to this date he has not made himself acquainted with its contents, as ordered by the Court in answer to his written petition, and pursuant to the foregoing decree he sets the present down in the city of New Orleans, on October 1, 1784.

Maria Ignacia Rodriguez petitions to have the plaintiff ordered to continue with the case.

Maria Ignacia Rodriguez petitions to say that the records of the case, together with the certification, have been delivered to her as previously requested, and from these documents the indifference with which Andres Alvarez' agent has acted may be proven, since he has let a full month pass without availing himself of the records. This silence has been prejudicial to her, therefore she prays the Court to rule that he be notified to draw up his demand within three days, under an order that His Honor may be kind enough to impose. Alcalde de Reggio decrees: As it is prayed; let the plaintiff be notified.

Maria Ignacia Rodriguez petitions to have the plaintiff appoint an attorney to act for him.

On October 4, 1784, Maria Ignacia Rodriguez petitions to say that in order to prevent the obstruction of the course of these proceedings, may it please the Court to cause Chevalier Beauregard to transfer the Procuration Mr. Alvarez conferred upon him to a Procurador del Numero of the Cabildo. Alferez de Reggio rules: Considering what has been set forth, let Chevalier Beauregard be notified to transfer the Procuration Andres Alvarez conferred upon him to a Procurador del Numero, so as not to perpetuate this case.

The plaintiff answers the defendant.

Andres Alvarez, represented by Luis Toutant Beauregard, answers, averring that the signature at the end of the note having been verified and the Escribano having compared it with others in his office, and the result of the comparison having proven the said signature to be true, may it please the Court to consider the debt lawful and to order it paid from the proceeds of the Muñoz estate. Francisco Maria de Reggio rules: The above petition when submitted must be signed by a Procurador del Numero, in accordance with the foregoing decree, and when this requirement is fulfilled a decision will be rendered.

Mr. Beauregard states why he cannot appoint an attorney.

Luis Toutant Beauregard, empowered to act for Andres Alvarez, in the best form of legal procedure, sets forth that he has been notified of a decree ordering him to transfer the power of attorney conferred upon him to a Procurador del Numero of this Province and of a later decision returning his petition to him for an attorney's signature, but considering that the only two Attorneys of this city have been appointed to settle the Muñoz succession, may it please the Court to receive this representation, signed by his hand alone, as well as all others he will present until the conclusion of this suit, so as not to interfere with the progress of this cause and to enable him

to put into execution any proceeding that may be necessary, in accordance with what has been set down in the power of attorney already entered. Alferez de Reggio rules: Considering what has been represented, let this petition be sent to the testamentary executor and guardian of the Francisco Muñoz estate.

Interrogatorio presented for Mr. Beauregard's examination.

List of questions presented to be answered by Luis Toutant Beauregard, Regidor Perpetuo and Alcalde Mayor Provincial, acting for Andres Alvarez, in the Executory Proceedings brought against the Muñoz Succession.

Q. 1. On what day, month and year, did he receive the power of attorney he has presented?

Q. 2. Did he take any legal action to collect the amount he now demands, just as soon as he received the procuration?

Q. 3. Did he request Mr. Muñoz to pay this debt before he died, and if so, why did the plaintiff not make judicial seizure then, as the law permits, so as to fulfill the duties of his commission?

Q. 4. Why did he maintain silence for nearly two years without having collected the said sum from Mr. Muñoz, when it was generally known that he had sufficient funds to pay this debt?

Q. 5. Did his client advise the delay that has intervened, and did he order or recommend collecting the debt, and what proceedings were taken in contesting this claim?

Maria Ignacia Rodriguez petitions to present this Interrogatorio.

Maria Ignacia Rodriguez sets forth that in order to contest the petition sent to her, may it please the Court to request Mr. Beauregard, under oath and without delay, to answer the questions contained in the interrogatorio duly presented, and done deliver his declaration to her, without prejudice to her cause in the interim. Francisco Maria de Reggio, on Juan del Postigo's advice, rules: The interrogatorio having been presented, let the plaintiff swear and declare to its contents, as requested, entrust the taking of this declaration to the Escribano, and done deliver it to the defendant.

Luis Toutant Beauregard answers the Interrogatorio.

In the city of New Orleans, on November 20, 1784, pursuant to the foregoing decree, the Escribano went to Luis Toutant Beauregard's home to receive his declaration under oath, and to the Interrogatorio duly presented he answered as follows:

A. 1. He cannot say definitely what day, month and year he received the procuration, because at present the letter which came with it is not in his possession, but if necessary he will ask for it so as to verify what has been requested.

A. 2. Just as soon as he received the procuration he reminded Mr. Muñoz to pay the accompanying note, which was placed before him, and also to verify the signature. The latter offered to pay the amount due in a few days, but did not do so. The plaintiff returned to press him for payment and actually did go before the Governor to demand a settlement. The Court rendered a decree, summoning the defendant to appear and answer this claim. Mr. Muñoz set forth in his petition that he was ill in bed, and notwithstanding this illness he, Beauregard, went to see him afterwards to arrange for collection, but was told to wait until he was well. The debt was not paid because he died soon after.

A. 3 and 4. He refers to the foregoing answer.

A. 5. He said it was Vizente Rondon, from Havana, who brought the procuration, requesting him to take charge of it because he did not know any person in the city to whom he could entrust it. Vizente Rondon has written him several times about the matter. His last letter came about three months ago. In it he asked to know whether the collection had been made, because his principal was pressing him regarding the debt. He answered that he had granted the debtor time because he did not know of any property belonging to him. The witness declares that he has spoken the truth under charge of his oath, and he signed, to which the Escribano attests.

Maria Ignacia Rodriguez petitions to dismiss the suit.

Maria Ignacia Rodriguez, the second testamentary executrix, sets forth that Luis Toutant Beauregard's declaration, made at her instance, has been delivered to her, which proves that the ten years the law requires for prescription have passed, therefore she prays the Court to order the plaintiff to withdraw his suit for the said collection. Alferez de Reggio, on Assessor Postigo's advice, receives this petition and on December 1, 1784, decrees to send this petition to the defender of the absent heirs. Fees 3 pesos.

Pedro Bertonière, defender of the absent heirs, answers to oppose payment.

Pedro Bertonière, Procurador Publico, defender named for Jph. (Josefa) Muñoz, answers to say that he opposes the payment requested by the plaintiff, in the name of his client, because the debt is proscribed, and besides it does not appear that any demand for settlement was made during the late Mr. Muñoz' lifetime, nor were any formalities taken to avoid proscription,

therefore may it please the Court to exclude Chevalier Beauregard's imaginary pretensions and condemn him to pay the costs of this suit. Alferez de Reggio, on Assessor Postigo's advice, receives this petition and later decrees:

Decree.

In the city of New Orleans, on December 9, 1784, Francisco Maria de Reggio, Regidor Alferez Real and Alcalde Ordinario of this city and its jurisdiction for His Majesty, after examining these records, said: He must receive and does receive this cause for trial, within the term of nine common days, during which time both parties must allege and prove whatever may be suitable and be cited reciprocally to recognize, swear in and examine the witnesses one side will present against the other, for this is his decree, thus he has provided, ordered and signed, to all of which the Escribano attests. Fees 2 pesos. (Signed) Francisco Maria de Reggio and Licenciado Postigo.

Maria Ignacia Rodriguez petitions for a publication of proofs.

On February 5, 1785, the case having passed into Nicolas Forstall's Court, Maria Ignacia Rodriguez presents herself and avers that this cause has been received for trial, and that the terms having now passed, may it please the Court to order a publication of the proofs and that the testimony that has been given be attached to these proceedings and delivered to the interested parties to allege as well proven. Alcalde Forstall, on Juan del Postigo's advice, orders this petition sent to the other interested parties.

Pedro Bertonière also petitions for a publication of the proofs.

On February 10, 1785, Pedro Bertonière answers to say that the time for presenting proofs having expired, as Maria Ignacia Rodriguez stipulates in her petition in which she prays for a publication of proofs, he adds his plea to hers and requests the Court to rule accordingly. Alcalde Forstall, on Assessor Postigo's advice, receives this petition and later decrees:

Decree.

In the city of New Orleans, on February 12, 1785, Nicolas Forstall, Alcalde Ordinario of this city and its jurisdiction for His Majesty, after examining these records says: That he must order and does order a publication of the proofs, as requested, and if any of the parties have failed to give them let a certification to this effect be filed with the case, and done deliver the testimony of each one to his opponent, to allege what is suitable to both sides. For this is his decree, thus he has ordered and signed, to which the Escribano attests.

Maria Ignacia Rodriguez presents her proofs.

On December 10, 1784, before Alferez de Reggio, the defendant petitions to say that this cause has been received for trial and she, for her part, asks to reproduce her petitions entered on pages 7, 10, 19, and 22 and anything else favorable to her cause resulting from these proceedings. Alferez de Reggio, on Juan del Postigo's advice, rules: This petition having been presented, let it be filed with Maria Ignacia Rodriguez' proofs.

Pedro Bertonière also petitions to present his proofs.

On December 11, 1784, Pedro Bertonière petitions to Alferez Real de Reggio, setting forth that this cause has been received for trial and for what he must give he prays to reproduce his request presented on page 24, together with everything else favorable to his cause, and file same with his proofs. Alferez de Reggio, on Assessor Postigo's advice, rules: The above having been reproduced, let it be filed with his proofs.

The defendant asks for an extension of time.

On December 16, 1784, Maria Ignacia Rodriguez states that this cause has been received for trial, and for the testimony that she must produce she prays to be conceded 20 days time. The Court, on the Assessor's advice, rules: As it is prayed, to both parties alike.

M. I. Rodriguez asks for a further extension.

On January 7, 1785, the defendant asks for a further extension of 10 days. Alferez de Reggio, on Postigo's advice, rules: As it is prayed, to both parties.

Certification.

Rafael Perdomo, Escribano Publico del Numero of this city (One of a special number of Notaries commissioned to act as Clerk of the Court and Notary Public), certifies that the litigants in this cause have not produced anything within the time required by law to receive proofs, with the exception of petitions filed up to and including page 25, and in testimony whereof and pursuant to a decree, he sets the present down and attests to the truth of his statement.

The defendant again petitions, this time to have the suit dismissed.

On March 12, 1785, the defendant petitions to say that this cause has been received for trial; the time for taking testimony has passed; the records have been delivered to the opposing parties to allege as well proven, as the Court ordered; and although it has pleased His Honor to decree as she has related, the plaintiff has not taken the said records, as he should have done, therefore she prays to have his pretensions declared as

null and that a taxation of costs be made and paid by him. Alcalde Forstall, on Assessor Postigo's advice, rules: Notify Luis Toutant Beauregard to answer for the first audience, with summons to appear.

The defendant prays to send the records to the Auditor of War.

On May 28, 1785, the defendant again petitions, this time to allege that by decree dated March 12th the Court ordered Luis Toutant Beauregard to answer for the first audience, and although he was summoned by this just decree, he has not complied with its requirements, therefore she prays to have the records sent to the Auditor of War (Juan del Postigo), so that he may pass judgment according to law. The Alcalde, on the Assessor's advice, rules: Let the plaintiff answer for the first audience, and in default remove the records by judicial compulsion and bring them to the Court.

The defendant accuses the plaintiff of being in default.

On June 3, 1785, Maria Ignacia Rodriguez petitions to say that she accuses Luis Toutant Beauregard of being in default, since he has not obeyed the Court's decree to answer for the first audience, and failing to do so the records of the case were to be taken by judicial compulsion, and whereas he has been notified he has not answered anything, therefore she prays the Court to order the decree carried into effect and also to have the records delivered to her so that she may claim what is justly hers. Alcalde Forstall, on Assessor Postigo's advice, rules: Let the records be taken by judicial compulsion, in virtue of this decree. A marginal note reads: He, Antonio Suga, took these records by judicial compulsion and without answer, or taxation.

The defendant prays for a definitive judgment.

On June 9, 1785, Maria Ignacia Rodriguez states that the records have been taken from Luis Toutant Beauregard by judicial compulsion, in virtue of the decree rendered to her last petition, without any answer having been made by the plaintiff, therefore she prays for a definitive sentence in accordance with what has been alleged and proven. Alcalde Forstall, on Assessor Postigo's advice, receives this petition and on June 27, 1785, decrees: Notify the other parties to allege (their claims) as well proven, and from their answers a judgment will be rendered.

Decree.

Maria Ignacia Rodriguez again petitions to ask for a definitive judgment.

On July 15, 1784, the defendant again petitions to say that the records of the case have been given to her to allege her claim

as well proven, although the plaintiff has not produced any proof, and reducing it to plain terms, alleging and contradicting whatever will be found in the records adverse to her interests, and considering that the document presented by Luis Toutant Beauregard is proscribed, she prays the Court for a definitive judgment in her favor because her cause is just. Nicolas Forstall, on Juan del Postigo's advice, rules: Send the above petition to the interested parties.

Pedro Bertonière also petitions for a definitive judgment.

On July 30, 1785, Pedro Bertonière petitions to say that in consideration of all that is evident and favorable in this case, may it please the Court to pass a definitive judgment. Alcalde Forstall, on Assessor Postigo's advice, receives this petition and on August 1, 1785, decrees: Whereas, cite the parties for the definitive sentence.

Definitive Sentence.

In the city of New Orleans, on August 6, 1785, Nicolas Forstall, Senior Alcalde of this city and its jurisdiction for His Majesty, having seen the records, said: He must condemn and does condemn the Francisco Muñoz succession to pay Luis Toutant Beauregard, Andres Alvarez' agent, the sum of 190 pesos, together with the costs of this process. For this is his sentence, definitively judged, thus he has decreed and signed. Fees 5 pesos.

Maria Ignacia Rodriguez petitions for a taxation of the costs of the case.

On August 31, 1785, the defendant petitions to say that the case is finished, therefore she prays to have the costs taxed by Luis Lioteau, Public Taxer of this city. Nicolas Forstall, on Juan del Postigo's advice, rules: As it is prayed.

Notification, acceptation and oath.

On the same day, the Escribano personally notified Luis Lioteau, Public Taxer, of the foregoing decree and he said he accepted and did accept, and swore by God and the Cross, according to law, to proceed well and faithfully with the taxation he was ordered to make, and he signed, to which the Escribano attests.

Taxation of Costs.

On February (date torn away), 1786, Luis Lioteau taxes costs at 64 pesos 2 reales.

September 3.

Proceedings brought by Santiago Ternuar against the estate of the late Pablo Lacour Dubourg.

No. 3300. 40 pp.

Courts of Alcaldes Francisco Maria de Reggio and Nicolas Forstall.

Assessor, Juan del Postigo.

Escribano, Fernando Rodriguez.

To collect a debt.

This suit to collect a debt from the succession of the deceased debtor contains some interesting legal points. The obligation was alleged to have been contracted with interest at the rate of four per cent per month. The defenders of the heirs of the deceased debtor objected to payment of the debt on the plea that the rate of interest was usurious, and they maintained that they were not legally obligated to pay either principal or interest. The Court, however, upheld the validity of the debt and ordered it paid in full from the proceeds of the succession.

The record opens with a certified copy of an obligation which reads in part that Pablo Lacour (Dubourg) owes Santiago Ternuar (Tournois ?) the sum of 1200 hard pesos, lent in cash and through kindness, which he acknowledges to have received, and because delivery is not made now, he renounces the exception of non numerata pecunia, the laws of proof of delivery and all others in such cases, and draws up a receipt in due form, promising to return the amount mentioned to Santiago Tornuar or whoever represents him legally, at the completion of one year, which will begin to run and be counted from the date of this written instrument. He obligates himself to execute this agreement promptly and fully without the necessity of a lawsuit and according to terms, at the date of maturity, or costs of collection, and for its fulfillment he pledges his present and future estates, and in a special manner he mortgages his three negro slaves, Sisu, 25 years old, Jazon 30, and Baucoi 27, and gives the complete power to the Judges and Justices of the King, Our Lord, so that they may compel him to honor this obligation with the rigor of a sentence consented and passed in the authority of a thing adjudged, and he renounces the laws and privileges in his favor with the general in the form that prohibits it. In testimony whereof, it is thus executed in the city of New Orleans, December 7, 1782. The Escribano testifies that he knows the maker of this act, who signs. The witnesses here present are Juan de Monte and Manuel Monrroy. Signed in the original, Pablo Lacour Dubourg, before Rafael Perdomo, Notary Public.

Santiago Ternaur petitions for a Writ of Execution.

There is a marginal note signed by Rodriguez, stipulating that this petition is presented by one who does not know how to write. The plaintiff sets forth that it is evident from the certified copy, duly filed, that the Pablo Lacour Dubourg estate owes him 1200 hard pesos lent

to him, and although the date of maturity has passed, up to now nothing has been paid on the debt. Therefore he prays for a Writ of execution against all or any of the said estate, and principally against the plantation, for the full amount of the debt, its one-tenth and costs. Alferez de Reggio rules: The certified copy having been presented, he will issue a decree later. On September 4, 1784, he rules: Whereas, send the foregoing petition and a copy of the act to the Curator of the minors.

The Curator answers, asking to exclude this claim.

Francisco Broutin, Curator ad lites to the minor children of Pablo Lacour Dubourg, answers, stating that he cannot consent to this payment because the obligation is usurious and contrary to law. The deceased has made a note of this loan in two of his account books, setting down in his own handwriting that this money was lent to him at 4% interest a month. Therefore he prays to have this claim excluded since it is illegal, and for this reason he thinks his opponent should lose both capital and interest. The Court rules to send this answer to Santiago Ternoir.

The plaintiff petitions again for a Writ of Execution.

Santiago Ternuar answers, saying he has been given the written petition from the minors' Curator, opposing the payment of 1200 pesos in new Mexican milled pesos, which he lent Mr. Dubourg, through friendship and good will, as appears in the warranty clause of the written instrument accepted in these proceedings, because the deceased had entered in his account books that he has paid 4% interest each month, for which reason the plaintiff should be deprived of both capital and interest, and considering that the document presented is incontestable and that the argument brought by the Curator is weak and without the least pretext and that his opposition is merely an excuse to contest the obligation, may it please the Court to declare it of little value and as insufficient, and to order a writ of execution issued in his favor for the sum of 1200 hard pesos, against any and all of the Lacour Dubourg property, its one-tenth and costs. Alferez de Reggio orders this sent to the Auditor of War, and on October 7, 1784, on Juan del Postigo's advice, rules: Send this petition to the defender of the widow of Pablo Dubourg.

Pedro Bertonière answers to oppose payment of the loan.

Pedro Bertonière, Procurador Publico del Numero of this city, testamentary executor and guardian of the estate of the late Pablo Lacour Dubourg and defender named for his widow, Celesta Peris, in the proceedings instituted against the succession by Santiago Ternoir to collect a debt, etc., answering the petition that has been delivered to him, says that he cannot consent to the payment

requested, considering that the said debt proceeds from a loan made at an absurd rate of interest and contrary to law, therefore he prays the Court to disregard this claim and to sentence accordingly. Francisco Maria de Reggio, on Juan del Postigo's advice, rules: Let this petition be sent to the Curator of the minors.

Antonio Mendez answers, asking to have this claim excluded.

Antonio Mendez, who has become Curator to the Dubourg minors, answers, stating that it appears the loan made by Santiago Tenuar to the late Mr. Dubourg was at usurious interest, which is illegal, therefore he is in accord with the representations made by his predecessor and the defender of the widow and prays to have Mr. Tenuar's claim excluded and that the latter be condemned to pay costs. Alferez de Reggio orders the above sent to the testamentary executor, on the advice of Assessor Postigo.

Antonio Mendez makes a second petition to accuse the executor of being in default.

On November 6, 1784, Antonio Mendez sets forth that a copy of his last petition was given to the testamentary executor on the 23rd of last October, and whereas he has not answered, may it please the Court to declare him in default and order him to answer within a short space of time. Alferez de Reggio rules: Let the executor answer for the first audience.

Pedro Bertonière answers to protest against the payment of this claim.

On February 21, 1785, Pedro Bertonière, executor and defender of the widow, answers to say that in no terms of justice should this claim be considered, therefore may it please the Court to judge in accordance with the request made by the Curator ad lites of the minors. Alcalde Nicolas Forstall, into whose Court this case has passed, rules to send the above petition to the Auditor, and on his advice the Court accepts it for a future decision.

Decree.

In the city of New Orleans, on February 23, 1785, Nicolas Forstall, Alcalde Ordinario of this city and its jurisdiction for His Majesty, having seen these records says: That he must receive and does receive this cause for trial within a term of nine common days, so that within that time both parties must allege and prove whatever is convenient to them and be cited reciprocally to recognize, swear in and examine the witnesses which one party will present against the other. For this is his decree, thus he has ordered and signed.

Taxation of costs.

This sentence is followed by a taxation of costs, at 15 pesos, made by Luis Lioteau, on March 12, 1785.

Santiago Tenuar petitions for a publication of the proofs.

The next entry, dated May 16, 1785, is a petition presented by Santiago Tenuar which reads in part that this cause has been received for trial within a term of nine common days, and more time than was conceded having passed, he prays for a publication of proofs and an order to have the testimony given bound with the proceedings, and to deliver the records to the parties to allege as well proven. Alcalde Forstall rules to send this petition to the interested parties.

Antonio Mendez answers, offering no objections to the publication of proofs.

On May 17, 1785, Antonio Mendez answers to aver that he offers no objections if it pleases the Court accede to the plaintiff's request to have the records of the case delivered to the interested parties to allege as well proven. Alcalde Forstall receives this petition for a future ruling, and on May 18, 1785, decrees:

Decree.

Whereas, let a publication of the proofs be made; bind the testimony given with the proceedings, and in case none has been filed by any one of the parties, let the Escribano certify to this effect and deliver the records to the plaintiff and defendants to allege as well proven.

Proofs of Juan Ternoir against the Succession of Pablo Dubourg.

On February 25, 1785, Santiago Tournoir petitions, stating that this cause has been received for trial and the records delivered to him to prove his claim and to allege what is suitable, in virtue of which he reproduces his obligation on page 1 and prays the Court to order it filed with his proofs. Alcalde Forstall rules: Having reproduced what is stated, let it be filed with his proofs.

The plaintiff offers a series of petitions for an extension of time.

On March 3, 1785, the plaintiff asks to be conceded ten days more time. Alcalde Forstall rules: As it is prayed; let the party be notified. On March 11th he requests an additional ten days. The Court gives the same ruling. On March 17th he asks for another ten days, with a like ruling. And on April 5th he asks for still another ten days extension, with the same decision. The four petitions give the plaintiff forty days to prove his claim.

Proofs of the Curator of the Dubourg minors against Santiago Ternoir.

Antonio Mendez, on February 26, 1785, petitions, setting forth that this cause has been received for trial, and pursuant to the decree rendered, the records of the case have been delivered to him to produce whatever may be convenient to the rights

of his minors. Therefore, in accordance with this decision, he prays to file his written petitions entered on pages 7, 13, and 15, and anything else that may have been offered in the said records. Alcalde Forstall rules: Having produced what the petitioner states, let these records be filed with his proofs.

The Curator presents a series of petitions, asking an extension of time.

The first petition is dated March 2, 1785, wherein Antonio Mendez asks to be conceded ten days more time. Alcalde Forstall rules: As it is prayed; let the petitioner be notified. On March 10, 1785, Mr. Mendez asks for an additional ten days. The Court decrees as above. On March 17, 1785, the Curator again asks for another ten days. Alcalde Forstall rules accordingly. On April 6, 1785, Antonio Mendez requests to be conceded all the time the law permits. Petition granted.

Santiago Tounoir petitions for the definitive judgment.

On June 3, 1785, the plaintiff petitions to say that the records of the case have been delivered to him to allege as well proven, and reducing his claim to plain facts, he declares that the warranty clause of the written instrument, filed from pages 1 to 4 inclusive, gives him the right to bring action in this Court to collect the sum of 1200 pesos that is due him from the said succession, and alleging and making all the necessary contradictions favorable to him, he concludes, praying the Court to summon the parties for the definitive judgment. Alcalde Forstall rules: Let this petition be sent to the interested parties.

Antonio Mendez petitions for a definitive sentence.

On June 14, 1785, the Curator sets forth, answering the petition and records of the case that have been sent to him to allege as well proven, reducing his defense to plain facts, alleging and contradicting, he concludes his argument for a definitive sentence, so that upon seeing it the Court may be pleased to render judgment in conformity to the merits of the process. Alcalde Forstall, on Assessor Postigo's advice, rules: Let this request be sent to the other interested parties.

Pedro Bertonière also petitions for a definitive sentence.

On June 20, 1785, Pedro Bertonière answers, saying the records of the case have been delivered to him to allege as well proven, and reducing his defense to plain facts, he prays the Court to sentence definitively and in conformity to the request presented by the Curator ad lites of the minor Dubourg children. Nicolas Forstall, on Juan del Postigo's advice, accepts this petition, and on June 21 rules: Whereas, let the parties be cited for the definitive sentence.

The Definitive Judgment.

In the city of New Orleans, on June 25, 1785, Nicolas Forstall, Senior Alcalde of this city and its jurisdiction for His Majesty, having seen these records, said that he must order and does order the product of the Pablo Lacour Dubourg succession to pay Santiago Tonuar the sum of 1200 pesos mentioned in the written act executed before Rafael Perdomo on December 7, 1782, declaring the reasons alleged by the Curator ad lites of the minors and the defender of Zelesta Peris as unfounded and those provided by the aforesaid Mr. Tonuar as well proven. For this is his decree, definitively judged, thus he has provided, ordered and signed. Fees 6 pesos. (Signed) Forstall and Licenciado Postigo.

Certification of the above sentence.

The above sentence was given and pronounced by Nicolas Forstall, Senior Alcalde of this city and its jurisdiction for His Majesty, while holding a public hearing in New Orleans, June 25, 1785. The witnesses here present were Francisco Lioteau, Santiago Lemaire and Miguel Gomez.

The plaintiff gives a receipt for 1200 pesos.

In the city of New Orleans, on July 11, 1785, before the Escribano and undersigned witnesses, appeared Juan (Santiago) Ternuar, of this vicinity, known to Fernando Rodriguez, and he acknowledged to have received from Pedro Bertonière the sum of 1200 pesos which the Pablo Lacour Dubourg succession owed him. He stipulates that he has received this amount, and because delivery is not made now he renounces the exception of non numerata pecunia and other formalities and declares the obigation, executed before Rafael Perdomo, December 7, 1782, as null, void, cancelled and of no value nor effect, hereby raising the mortgage on the three negroes, Sono, aged 25, Jason 30, and Baugua 26, for thus he has executed, but did not sign, as he said he did not know how to write and requested one of the witnesses to do so for him, who were Francisco Lioteau, Santiago Lemaire and Miguel Gomez.

Marginal Note.

In a marginal note, Fernando Rodriguez states that he gave a copy of the above written act to Pedro Bertonière. Rights to taxation.

Fernando Rodriguez asks for a taxation of costs.

On July 21, 1785, Fernando Rodriguez petitions to say that it is evident from the foregoing act that this case is entirely finished, therefore may it please the Court to order a taxation of the last costs to be paid from the proceeds of the Lacour Dubourg estate. Alcalde Forstall rules: As it is prayed. Let the taxation be made by Luis Lioteau, after he has accepted and taken oath.

Acceptation and oath.

In the city of New Orleans, on the said day, month and year (July 21, 1785), Luis Lioteau was personally notified, and he said he accepted and did accept and swore by God and the Cross, according to law (to tax costs), and he signed, to which the Escribano attests.

Taxation of Costs.

Costs are taxed at 34 pesos 3 reales, by Luis Lioteau, on July 21, 1785.

September 13.

Executory Process. Leonardo Mazange vs. Alberto Bonne and Juan Arlu.

No. 66. 20 pp.

Court of Governor Esteban Miro.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

To collect a debt.

This suit to collect a debt contracted by the purchase of slaves contains nothing out of the ordinary in such cases. The suit was apparently settled out of Court, and the record is therefore incomplete.

The first entry is a certified copy of a special Power of Attorney by which Leonardo Mazange, Sindico Procurador General (Attorney General for the Municipal Administration), appoints Pedro Bertonière, Procurador Publico of this city, to act in his name and to represent his proper person in all legal proceedings and any other transactions that may be necessary, etc., and in testimony whereof this act is drawn up on September 1st, 1784, before Rafael Perdomo, in the presence of Francisco Carcasses and Manuel Monrroy. Signed in the original by Leonardo Mazange and Rafael Perdomo.

Certified copy of an Act of Sale.

The second exhibit is a certified copy of an act of sale by which Leonardo Mazange sells five slaves to Alberto Bonne and Juan Arlu, namely: Blery, aged 40 years; his wife, 35; Santiago 8, Phelipe 4 and Agustin 2, all three children of the abovesaid. These negroes belong to the vendor because they were bought at the public auction held to dispose of the late Mr. Menbred's estate and transferred by act executed before Juan B. Garic, a former Notary of this city, about 4½ years ago. These slaves are sold for household service, as healthy and without blemish, and the said Blery as a fugitive, all free of liens and mortgages as the Annotator of mortgages certifies, for the price of 1750 pesos which must be paid in the followig manner: 875 pesos in the month of December of the present year and the other 875 pesos remaining in the same month of next year, 1781, by virtue of which he withdraws from the right to ownership, use and dominion over the five slaves and cedes, renounces and transfers them to the said purchasers, or to whoever may represent their interests, as their own to possess, sell, exchange

or alienate at their wills, in accordance with this written act which is drawn up in proof of real delivery, and that they have acquired actual possession without the necessity of presenting other evidence, of which they are relieved, and he obligates himself to the eviction, security and guarantee of this sale in sufficient form of law with his present and future property and inserts the guaranty clause here, and renounces the laws in his favor with the general that prohibits it. And Alberto Bonne and Juan Arve (Arlu), here present at the execution of this written instrument, accept the sale made in their favor, thus acquiring the five slaves for the amount stipulated and in conformity to the terms specified, and acknowledge to have received them as also the fugitive negro and draw up a formal receipt for their purchase, obligating themselves to pay the 1750 pesos on the date mentioned and in accordance with the conditions set forth, and the day for settlement having arrived, and payment not having been made, either one has the power to act for the other with this written instrument only, and the simple oath of the one who will be the legitimate party and without other proof, of which they are relieved, and in fulfillment of this agreement the purchasers obligate their present and future estates and for the security of the said amount they mortgage the five slaves, whom they will not sell nor alienate until the entire payment will be made, and they insert the guaranty clause here and renounce the laws in their favor with the general that prohibits it. In testimony whereof, this is dated in New Orleans, March 11, 1780. The vendor and vendees are known to the Escribano, who execute and sign. The witnesses here present are Luis Bohaques, Francisco Martines and Pedro Bertonière. Signed in the original by Leonardo Mazange, Alberto Bonne and Juan Arlu, before Andres Almonester.

Leonardo Mazange petitions for a writ of execution.

Leonardo Mazange presents these two foregoing certified copies and sets forth that it is evident from these public acts that Alberto Bonne and Juan Arlu owe him 1750 pesos at date of maturity now passed, therefore he prays for a writ of execution against all or any of their property, sufficient to pay the said amount, its one-tenth and costs, which sum he swears is due and has not been paid. Governor Miro rules: The procuration and act of sale having been presented, he accepts this petition for a future decision.

Decree.

On September 13, 1784, Esteban Miro, Colonel of the Fixed Regiment of this Place and acting Governor of Louisiana, having seen these records, said: That he must issue and does issue a writ of execution against Alberto Bonne and Juan

Arlu, and especially against the five slaves mortgaged for the sum of 1750 pesos, its one-tenth and costs, caused or to be caused up to the real and effective payment. For this is his decree, thus he has provided, ordered and signed. Fees 3 pesos. (Signed) Estevan Miro and Licenciado Postigo.

Marginal Note.

A marginal note specifies that the writ which was ordered has been issued and delivered to the party. Attested to and signed by Perdomo.

The Writ.

Let the Sheriff, or in his place the Deputy Sheriff, request Alberto Bonne and Juan Arlu to pay Leonardo Mazange, immediately, the sum of 1750 pesos, and if they do not pay this amount, its one-tenth and costs, at once, take execution against all or any of the property of the two abovenamed parties, making a formal seizure of it, and done let this said property be placed with the General Receiver, in accordance with a decree rendered, dated this day, issued on the advice of the Assessor. Thus it has been ordered. New Orleans, September 13, 1784. (Signed) Estevan Miro. By order of His Lordship. (Signed) Rafael Perdomo, Notary Public.

Service of the Writ.

In the city of New Orleans, on September 14, 1784, before the Escribano and witnesses, appeared Nicolas Fromentin, Deputy Sheriff, who said that with the writ on the other side of this page, he requested Alberto Bonne and Juan Arlu to pay Leonardo Mazange the amount stipulated in the writ, and not having made the said payment nor shown sufficient property to cover the debt, he seized a house on Royal Street, belonging to one of them, adjoined on one side by Mrs. Favre's place and on the other by that of Pedro Villamil. He asked to have this set down as his answer, and he signed, the witnesses, here present, were Francisco Carcasses and Manuel Monrroy.

Leonardo Mazange petitions to have the five slaves sold.

The plaintiff avers that, as appears from the proceedings set down by the Escribano at the Deputy Sheriff's request, the defendants have not paid nor shown sufficient property for seizure, therefore, using the right that the law gives him he claims the 5 slaves mortgaged for the security of the 1750 pesos, he now demands and prays the Court to order them seized and sold to pay the defendants' debts, and done have the sale called publicly as the law requires. Governor Miro, on Assessor Postigo's advice, rules: Let the seizure be made on the property mentioned, as this party prays.

Leonardo Mazange petitions to discontinue the suit and tax costs.

On November 17, 1784, the plaintiff again petitions to say that his debt has been paid, therefore, so as to discontinue all proceedings, he prays to have the obligation presented cancelled and the costs of the case taxed, which will be promptly paid by the defendants. Esteban Miro, on Juan del Postigo's advice, rules: Render the obligation made by Juan Arlu and Alberto Bonne, in favor of Leonardo Mazange, null and void.

The record ends here.

September 17.

Executory Process. Luisa Roquini vs. Fernando Rodriguez.

No. 64. 12 pp.

Court of Governor Esteban Miro.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

To collect a debt.

This suit to collect by executory process a debt secured by a mortgage on four slaves, contains points of interest in the legal procedure in such cases. The Court orders the mortgaged slaves sold at auction; but the record as here given does not carry the case to final settlement.

The first entry is Fernando Rodriguez' note which reads, in part: That he will pay Luisa Roquini the 565 pesos she lent him, without premium or interest, within six months, counting from this day, and for the security of this loan he obligates his present and future estates, and especially mortgages four slaves named: Maria, a quadroon, aged 14; Pedro, a mulatto, also 14; Tee, a mulattress, 30; and Telemaio, a negro, aged 20. New Orleans, January 11, 1784. (Signed) Fernando Rodriguez.

The Plaintiff petitions to have the defendant acknowledge his debt.

Luisa Roquiny, Widow Herr, petitions to say that in accordance with the note she exhibits, Fernando Rodriguez requested her to lend him 565 pesos, promising to repay the loan the 11th of last July, and for the security of this debt he mortgaged four slaves as the instrument shows. Therefore, to enable her to collect her money, she prays to have the defendant, under oath, acknowledge the obligation and verify his signature, and done deliver his declaration to her to be used when suitable. Governor Miro, on Assessor Postigo's advice, rules: The note having been presented, as this party states, let the defendant swear and declare as requested, and done deliver his deposition to Mrs. Herr.

Fernando Rodriguez' deposition.

In the city of New Orleans, on September 18, 1784, the Escribano, in virtue of the commission conferred upon him, went to Fernando Rodriguez' residence to obtain the declaration he

has been ordered to make, pursuant to the foregoing decree, and arriving there he received the oath he made by God and the Cross, according to law, under charge of which he promised to speak the truth, and being examined upon the foregoing written petition, he declared the signature to the note is his and that he owes the amount demanded. He answered that this is the truth under charge of his oath and that he is 29 years old. Mr. Rodriguez signed, and the Escribano attests to the above deposition.

Mrs. Roquiny-Herr petitions for a writ of execution.

The plaintiff again petitions, this time to say that, as appears from the defendant's declaration, he owes her 565 pesos, for the security of which he mortgaged four slaves, as his obligation shows, but up to the present he has not paid this debt, therefore she prays for a writ of execution against Mr. Rodriguez' person and estate, and particularly against the four slaves mortgaged for the said amount, and costs caused or to be caused up to the complete payment of the debt. Esteban Miro, on Juan del Postigo's advice, receives this petition and on September 25, 1784, decrees: Whereas,

Decree.

issue a writ of execution against Fernando Rodriguez' person and estate for the sum of 565 pesos, in favor of Luisa Roquiny, and especially against the four negroes mortgaged in his obligation, its one-tenth and costs. (Signed) Esteban Miro and Licenciado Postigo.

Marginal Note.

A marginal note stipulates that the writ that was ordered has been issued and delivered to the party, to which Rafael Perdomo attests.

The Writ.

Let the Sheriff, or in his place the Deputy Sheriff, request Fernando Rodriguez to pay Luisa Roquiny the sum of 565 pesos, and if he does not pay the stipulated amount, its one-tenth and costs, take execution against his person and all or any of his property, making a formal seizure of same, which must be placed in the General Receiver's charge, in accordance with the decree rendered this day, on the advice of the Assessor. Thus it is ordered. New Orleans, September 25, 1784. (Signed) Estevan Miro. By Order of His Lordship. (Signed) Rafael Perdomo.

Nicolas Fromentin's report to the Court.

In the city of New Orleans, on October 1, 1784, before the Escribano and witnesses, appeared Nicolas Fromentin, Deputy Sheriff, and he said that with the writ on the reverse side of this page, he requested Fernando Rodriguez to pay Luisa Roquiny the sum of 565 pesos, and not having done so nor placed on manifest any

property that might be seized, he took nothing and left the writ open to be enforced when suitable. This he asked to have set down as his answer, and he signed, the witnesses here present were Francisco Carcasses and Manuel Monrroy. (Signed) N. Fromentin. Before Rafael Perdomo, Clerk of the Court.

The Plaintiff petitions to seize Susana and her children.

On October 15, 1784, Luisa Roquiny sets forth that the defendant has been requested to pay his debt, upon a writ of execution issued in her favor. No seizure was made because the debtor did not show anything attachable. The writ was then left open to be carried into effect when suitable to her. She now uses the right that the law gives her to seize the negress, Susana, and her two children, Fernando Rodriguez' slaves, on the writ issued, and prays the Court to order them placed with the General Receiver and to be publicly called for sale as the law requires. Governor Miro, on Assessor Postigo's advice, rules: Let a seizure be made of the negroes mortgaged according to the instrument filed at the beginning of this proceeding.

Luisa Roquiny petitions for the public call for the sale of the slaves.

The plaintiff again petitions, this time averring that the mortgaged slaves have been seized, therefore she prays the Court to order them called for sale as the law requires and sold at auction to the highest bidder so that she may be paid the full amount due her from the proceeds realized. Governor Miro, on Assessor Postigo's advice, rules: Let the slaves that have been seized be cried for sale as the law requires.

Public Calls.

The first, second and third calls are made November 26th and 29th and December 2nd, respectively.

Mrs. Roquiny asks to cite the defendant for the auction.

On December 14, 1784, the plaintiff petitions to say that the time for crying the sale has more than passed, therefore she prays to have Fernando Rodriguez cited for the auction, with a warning that he must allege payment within three days, or give a legitimate reason to prevent the auction of the negroes already publicly called for sale. Esteban Miro, on Juan del Postigo's advice, decrees: Let the defendant be cited for the auction.

The Plaintiff petitions for an appraisement of the slaves and the auction.

On December 20, 1784, the plaintiff petitions, averring that Mr. Rodriguez has been cited for the auction and has not paid his debt, therefore may it please the Court to order the public appraisers to place a value on the slaves, and done offer

them for sale at auction. Governor Miro, on Assessor Postigo's advice, receives this petition and rules: Let these mortgaged negroes be appraised as requested.

The record ends here and is therefore unfinished.

September 14.

Succession of Andres Juen. Inventory and appraisement of his estate.

No. 141. 68 pp.

Court of Alcalde Esteban Boré.

No Assessor.

Escribano, Rafael Perdomo.

This proceeding in the matter of a succession illustrates the usual procedure followed in such cases. There is the certification of death, the collection of the keys, the search for the will, and the inventory and appraisement of the estate of the deceased.

The student of the social and economic history of Spanish Louisiana will find much valuable source material in the terms of the will and in the items and valuation of a large amount of wearing apparel, household furniture and kitchen utensils, real estate, plantation equipment, slaves and livestock.

This succession is opened in the usual way with a formal announcement of the death, which reads: In the city of New Orleans, on September 14, 1784, Juan Esteban Boré, Junior Alcalde Ordinario of this city and its jurisdiction for His Majesty, said that now at about 9 o'clock in the morning of this day, he has been informed of the death of Andres Juen (Jung), leaving a will drawn up before the present Escribano in which he names a testamentary executor and heirs, together with some estate, for the security of same His Honor ordered this act issued to begin the process. The death of the aforenamed must be made evident by certification signed by the present Escribano to whom is given the necessary commission to make a formal collection of the keys of his chests. These he will hold in his possession, provisionally, at the disposition of the Court. For thus His Honor has decreed and signed, to which the Escribano attests.

Certification of the death.

Pursuant to the foregoing decree, the Escribano certifies that he went to Andres Juen's dwelling house where he saw the latter laid out on a bed in one of the rooms, to all appearances dead, and as such preparations were made for his funeral, and in testimony whereof he sets this down as a matter of record.

Collection of the Keys.

Immediately after, the Escribano, in virtue of the commission conferred upon him, asked for the keys left by Andres Juen, and four were delivered to him by Francisco Maria de Reggio, his testamentary executor. He holds these in his keeping, provisionally, at the disposition of the Court, and in testimony whereof he sets this down as a matter of record.

Search for the will.

New Orleans, September 15, 1784. Let the present Escribano, before whom Andres Juen has executed a will, place a copy of it at the end of these proceedings, and let Fernando Rodriguez certify whether before him or in the Archives in his keeping, the deceased has drawn, or deposited, another will, and done return the matter to the Court.

Fernando Rodriguez certifies that he has no will made by the deceased.

In the city of New Orleans, on the said day, month and year (September 15, 1784), the Escribano certified that he notified Fernando Rodriguez of the foregoing decree, and he said that he must certify that neither before him nor in the Archives in his charge has a will or other disposition been executed for Andres Juen. (Signed) Fernando Escribano Publico (Notary Public).

Will.

In the name of God Almighty, Amen. Be it known that I, Andres Juen, was born in Bordeaux, Kingdom of France, residing in this city, am the legitimate son of Juan Juen, native of Canada, and Rosa Cousada, born in Bordeaux, both dead. I am ill, but in the full possession of all my faculties, I do make this my last will and testament. This declaration is followed by the customary Confession of Faith. The will proper reads, in part:

1st. He commends his soul to God, Who created and redeemed it with His Precious Blood, Passion and Death. His body he consigns to the earth from which it was made, and in death he wishes to be shrouded in a white sheet and be given humble burial in the Parish Church of this city, in the place selected by his testamentary executor, to whose disposition he leaves the rest of his funeral arrangements.

2nd. He orders three Masses said for his soul and that an alms of 3 reales be given for each one of the forced bequests; these offerings must be taken from his estate.

3rd. He wills that after his death his executor, hereinafter named, will give 100 pesos to the Charity Hospital of this city.

4th. He declares he was married and veiled according to the rites of Our Holy Mother, the Church, to Pelagia Llorens, now dead, late widow of Mr. Bracillier, and from this marriage there is no succession. (See *Louisiana Historical Quarterly*, Vol. 17, No. 1, page 213, 1781. September 7th. No. 3508. 50 pp. Succession of Pelagia Lorreins, wife of Andres Jung.) The capital his wife brought to the community she managed according to her own free will during their

married life, and at her death her estate was disposed of as she saw fit, as may be proven by last will and testament.

5th. He declares that before he contracted the above-said marriage he had three living illegimate children. The first named Roseta, aged 25, by a free negress, Goton; the second, called Goton, aged 23, by a negress slave, Luizon, now dead; and the third, Juan Luis, 22, son of a free negress, Isavel. These three children since their birth have been fed, educated and maintained in his home, as his own family.

6th. He declared his estate to consist of his dwelling house situated in front of the levee of this city, adjoined on one side by Sergeant-Major Francisco de Bouligny's place and on the other by Estevan Plauche's.

7th. He declares the sum of 2000 pesos, in notes of the Royal Treasury, as a part of his estate. These will be found in his coffers.

8th. He further declares, as a part of his estate, the furniture that will be found at his death, which includes the wrought silver, his gold and silver jewelry and also his wearing apparel.

9th. He further declares a plantation on Bayou St. John, consisting of the number of arpents of land specified in the title to same, together with some few pieces of furniture for the house, utensils, together with several head of live stock.

10th. He declares, as a part of his estate, a negro, Maturen, a carpenter; another, Silvestre, also a carpenter; Neptune, Ignacio, a second Maturen, Macarty, Lorenzo, Josef, Agustin, Coaci, Cofi, Miguel, Ercules, Juan Bautista, Carlos, Santiago, Sem, Tambros, Bautista, Luis Jandu, Acil, Francisco, Durqu and Julian.

11th. He declares he owns another plantation on the other side of the Lake, with several head of cattle, the free mulatto, Alexoz, will give a report of same. He also has the custody of the following slaves, Santiago, Juan, Jupiter, Piramide, Pedro, Molpen, Bautista, the Congo Mercurio, a negress Marton and another named Maria.

12th. As a further part of his estate he stipulates that he owns a negress cook, named Naneta, another called Maria, a washer and ironer, Llaguetra, Elena, Ayda, with her son 8 months old. He orders that when his death will have taken place, his testamentary executor and guardian of his estate will give the negress Ayda and her son the necessary act of emancipation, executed before the present Escribano, and to do the same for the mulattress Venus. This clause will serve as a title, in due form, until the executor complies with this disposition.

13th. He declares the negro, Carlos, who lives on the plantation on the other side of the Lake, as a part of his estate.

14th. He declares he has an account pending with Juan Bautista Anstive, called Sezan, as the result of an act of sale by which the plantation was transferred to the latter for 2800 pesos. The vendee has made several payments, as his receipts show. He orders his executor to liquidate this account and let whatever amount that will be collected be held for the testator's account and placed in the body of his estate.

15th. He declares that several persons in this Province owe him various sums of money, as will appear from their obligations and notes which will be found at his death. He orders his executor to collect these debts in the most convenient way and also to enter this money in the body of his estate.

16th. It is his wish that after his death has taken place, should any legitimate debts be proven against him, they must be paid by his executor, when same have been fully proven to be just.

17th. It is his will, since he has no legitimate descendants, or ascendants, to fall heir to his estate, to use the right the law gives him in this case, to have his executor deliver, after his death, 2000 pesos to each of his brothers, Antonio and Agustino Suen (Jung). He wills and bequeaths this amount to both alike, because of the great affection he feels for them.

18th. It is also his will that after his death his executor will invest 2000 pesos in favor of his son, Juan Luis, so that he may be supported on the revenue from this amount during his life, and in case he should contract marriage and leave any heirs, after his death, this investment will be for the benefit of his children, and if he has none, it must be returned to the body of the testator's estate so that in the future it may be inherited by the one he will name, with the full understanding that he charges his executor to fulfill this clause and disposition so that this provision will be observed and complied with, because of his son's insufficient knowledge to manage his own affairs.

19th. He also orders his executor, after his death, to give his daughter, Roseta, 2000 pesos, to enable her to help herself. This amount is given to her in remuneration for her special care of him and the paternal love he professes for her. For the same reason he wills 1000 pesos to his daughter, Goton, so that she might enjoy this legacy at the proper time.

20th. After his death, his executor is directed to deliver to Brixida de Reggio, unmarried, the sum of 4000 pesos, which

will remain in her father's keeping until such time as she will arrive at one of the three states in which the law permits her to administer her property herself. Her father must give bond for the security of this sum, and from the revenue derived from it he can aid her as may be suitable.

21st. And to fulfill and carry out the conditions of this will, he names as his testamentary executor and guardian of his estate, Francisco Maria de Reggio, Alferez Real-Regidor Perpetuo and Alcalde Ordinario of this city and its jurisdiction, so that he may comply with the requirements of this disposition within the year of executorship, and when this time has passed it will be further extended, if necessary.

22nd. And for the remainder of all his property, debts, rights and actions that may belong to him by any title, he institutes and names as his executor, Francisco Maria de Reggio, his sole and universal heir, so that he may have and inherit them with God's benediction. He revokes and annuls all other wills, codicils, procurations and other dispositions that he may have made before this, either in writing or verbally, and he wishes that they have no value nor credit in justice or outside of it, save this one, which must be guarded, fulfilled and executed as his last and final will in the way and form that is legal. In testimony whereof this instrument is dated in this city of New Orleans, September 4, 1784. The Escribano certifies that he knows the testator, who seems to be in the possession of all his faculties, and thus he executed and signed; the witnesses, here present, were Agustin de Treville, Francisco Carcasses and Manuel Monrroy, Notary Public.

Note: the testator died between 8 and 9 o'clock of the morning of September 14, 1784. To which Rafael Perdomo attests.

Procuration.

The next entry is also a certified copy of a Notarial Act, dated New Orleans, September 15, 1784, and is to the effect that before the Escribano and witnesses appeared Francisco Maria de Reggio, Regidor Perpetuo-Alferez Real and Alcalde Ordinario of this city and its jurisdiction, known to the Notary, who grants a complete, full and sufficient power of attorney to Pedro Bertonière, Public Attorney of this city, so that he may represent the proper person, rights and actions of the grantor, as testamentary executor and guardian of the estate of the late Andres Juen, in all or any judicial and extrajudicial proceedings that may be required during the course of the settlement of the said succession.

The Executor petitions to present the foregoing Procuration.

On September 17, 1784, Francisco Maria de Reggio duly presents the above procuration and petitions to say that in order to have some one to represent him in this suit he has conferred his power of attorney upon Pedro Bertonière and prays the Court to have it filed with the records relative to this succession. Alcalde Boré rules: The Procuration having been presented, let it be filed with the proceedings brought for the settlement of the Juen Succession.

Alferez de Reggio asks to have the records delivered to him.

On September 18, 1784, Francisco Maria de Reggio sets forth that in order to promote what is convenient to his rights, may it please the Court to cause the records of the case to be delivered to him. Esteban Boré decrees: Let the records of the case be delivered to this party in the customary way.

Francisco Maria de Reggio asks to have an inventory made of the estate.

On September 21, 1784, Alferez de Reggio declares the records of the case have been delivered to him, and considering that Andres Juen, by his last will and testament, has named the petitioner his sole and universal heir, which estate he has accepted and if necessary he will accept again, with the benefit of inventory, therefore he prays the Court to cause one to be made, so that he may be put in real and actual possession of all property that should come to him, in accordance with the said will. Alcalde Boré rules: Proceed with the taking of the inventory as has been requested.

Alferez de Reggio prays for an appraisement of the Juen estate.

On September 23, 1784, the executor petitions to say that in answer to his last representation it has pleased the Court to order an inventory and appraisement made of the Juen estate, therefore he prays to have public experts place a value on all property belonging to it. Esteban Boré decrees: The experts he mentions having been named, let them be notified for their acceptations and oaths.

Notification, acceptation and oath.

On the said day, month and year, Josef Adrian de la Place was notified in person, and he said he accepted and did accept and swore by God and the Cross, according to law, to proceed well and faithfully with the duties of his charge. (Signed) Adrian de la Place, before Rafael Perdomo.

Notification of the second appraiser.

On the same day, the Escribano went to Andres Waukerny's house to notify him of the foregoing decree, and he said he was told by the latter's wife that

her husband was in the country, and in testimony whereof he sets this down as a matter of record.

The Executor prays to have another appraiser named.

On September 24, 1784, Alferez de Reggio petitions to say that the Court has ordered an appraisement made of the Juen estate by public experts, and whereas Andres Waukerny, one of them, is absent from the Capital, as appears from the proceedings set down by the Escribano, may it please the Court to name another, officially, so that with him present, no prejudice will follow this valuation, and order them to proceed to the best of their ability. Esteban Boré rules: With attention to what is alleged in this representation, let it be received for future ruling.

Decree.

On September 25, 1784, the Court decrees: Considering the proceedings set down on page 32, wherein the absence of Andres Waukerny, Public Taxer, is affirmed, His Honor names Guillermo Guinan, resident of this city, to replace the former; let him be notified for his acceptation and oath.

Notification, acceptation and oath.

On the said day, month and year, Guillermo Guignan was personally notified of the contents of the foregoing decree, and he said he accepted and did accept and swore by God and the Cross, according to law, to proceed well and faithfully with the estimate he has been ordered to make, and he signed, to which the Escribano attests. (Signed) G. Guignan.

The Escribano prays to have the day named for taking the inventory.

On September 27, 1784, Francisco Maria de Reggio states that an inventory and appraisement of the Juen estate has been ordered, therefore he prays to have a day set aside for this purpose. Alcalde Boré rules: Let the 28th of the current month be assigned for the taking of the inventory. Cite the parties for this purpose.

Inventory.

In the city of New Orleans, on September 28, 1784, Juan Estevan Boré, Junior Alcalde Ordinario, accompanied by Pedro Bertonière, Public Attorney, representing Francisco Maria de Reggio, and the Escribano went to Andres Juen's house to make an inventory and appraisement of his estate. There were also present: Antonio and Agustin Juen, as legatees, and Adrian de la Place and Guillermo Guinan, appraisers, named by His Honor. The above said Officials and persons began the proceedings which follow:

Firstly they entered in the inventory and appraised the contents of an iron box, in which were found various sums of money both in hard silver and notes of the Royal Treasury, valued at	40 pesos
A second entry of	4 – 1
A certificate for	817 –
Another for	128 –
Another for	180 –
Another certificate for	414 – 4
Another for	288 – 4
The house facing the levee, adjoined on one side by Francisco de Bouligny's real property and on the other by that of Estevan Plauche, with a frontage measurement of (figures omitted) by 180 deep, built on brick columns, estimated at	4500 –
1 mirror	10 –
Fire irons	1 – 4
1 old walnut tabouret	5 –
Another 5, the same, and a cypress chair	5 –
1 new lock with its key	1 – 4
1 silver platter with its handles, weighing 36 ounces 6 reales, valued at	36 – 6
Another medium-sized, weighing 21 ounces 2 reales, valued at	21 – 2
2 silver candlesticks, weighing 35 ounces	35 –
1 silver soup-tureen with its cover, the same weighing 34 ounces 6 reales	34 – 6
1 silver coffee pot weighing 31 ounces 6 reales	31 – 6
3 large silver spoons, weighing 20 ounces 3 reales	20 – 3
6 spoons with their forks, weighing 31 ounces	31 –
Some silver buckles, valued at	1 – 6
1 silver sword	8 –
1 case with mathematical instruments	4 –
4 crystal celery dishes	10 –
18 earthenware dishes with 1 pitcher	5 –
1 pair of silver buckles for the bottom of trousers	1 – 4
20 tin molds for making candles	12 –
26 the same of tin plate	12 –
101 German damask table napkins	27 –
9 table cloths, the same	16 –
5 sheets	14 –
6 caps	3 –
8 vests	8 –
5 caps	1 – 2
2 vests	1 –
5 pairs of white trousers	4 –
3 pairs of ordinary thread stockings	2 –

3 other pairs, worn	1	–	4
1 grey silk coat and trousers, with 1 white silk silver embroidered vest	20	–	
1 blue cloth cape trimmed with gold braid	30	–	
1 overcoat, the same, with trousers	8	–	
1 gold embroidered rough silk vest	8	–	
1 apron with crimson velvet pockets	4	–	
Several bundles of thread	5	–	
Several pieces of thread to sew sails	1	–	
1 piece of blue striped, variegated material	5	–	
9 small saws and 4 ball extractors	5	–	
2 crystal flasks	1	–	4
60 empty bottles	7	–	4
8 demijohns	16	–	
12 pounds of powder	6	–	
6 dozen white metal buttons		–	6
1 large stone jar	16	–	
1 frame with 23 lead molds for candles	10	–	
17 bottles	2	–	
1 crystal lantern	2	–	

At this stage the bell rang for mid-day prayers, so His Honor ordered these proceedings suspended, to be continued later, placing the foregoing items inventoried in Pedro Bertonière's charge, who drew up a formal receipt for same, which he signed with His Honor and the other interested parties. (Signed) Jean Etienne Boré, Pedro Bertonière, G. Guignan, Adrien Joseph de la Place, before Rafael Perdomo.

The taking of the inventory is resumed in the afternoon in the presence of the same officials, interested parties and appraisers.

The first entry is one large yellow copper kettle	30	–	
6½ barrels of salt	19	–	4
20 pounds of lead	4	–	
4 pots	5	–	
1 cable 5 inches thick and 120 fathoms long	60	–	
160 bottles of wine	40	–	
23 empty bottles	4	–	
1 pair of carriage wheels	12	–	
350 pounds of iron in bars	35	–	
1 outfit for the blacksmith's shop with various furnishings belonging to it	80	–	
200 pounds of iron	6	–	
1 old calash	80	–	
2 old seats for the said calash	3	–	
21 cypress cross-beams	10	–	

Negroes

1 negro named Higre, aged 50, valued at..... 450 –
Another named Pedro, aged 36..... 400 –
One called Juan Bautista, aged 18..... 500 –
Miguel, of the Mandringa tribe, aged 20..... 400 –
Julian, a blacksmith, aged 54..... 600 –
Ercules, of the Ganga tribe, a cooper's apprentice, aged 20..... 500 –
Charles, a creole, aged about 30..... 450 –
Catalina, aged 80, valued at..... 40 –
Elena, a Mandringa negress..... 200 –
Aneta, aged 40..... 300 –
Mariana, aged 50..... 350 –
Silvestre, aged 50..... 300 –
Francisco, a creole, aged 40..... 400 –
Maturen (Mathuren), aged about 50 years, a carpenter..... 600 –
Bercha, an old negress, valued at..... 40 –
Francisco, a creole negro, aged 56..... 500 –

Papers

A receipt for 512 pesos against Josef Diaz, marked..... No. 1
A note drawn up by Josef Diaz in favor of the deceased, dated August 18th of this year, for 286 pesos..... No. 2
Another drawn up by Juan Ventura Morales, in favor of the deceased, dated July 5 of this year, for 300 pesos..... No. 3
A note drawn up by Carlos Latour, in favor of the deceased, dated April 2nd of this year, for 80 pesos..... No. 4
One signed by a party named Montru, for 100 pesos..... No. 5
Another signed by Mr. Arman, in favor of the deceased, for 2 mules that must be delivered during this month..... No. 6
A note, in favor of the deceased, signed by Bernardo Colet, for 10 pesos..... No. 7
A private act of sale executed by the deceased, in favor of Juan Bautista Sezan, for a plantation situated about a quarter of a league from this capital, on the other side of the upper river..... No. 8
A certification, with a note written in English, by which it appears that Juan Bautista Bodro has received 100 pesos..... Nos. 9-10
A note issued by Jowet Andoas for 109 pesos, in favor of the deceased..... No. 11
A note signed by Juan Surire, in favor of the deceased, for 7 pesos..... No. 12

A certification given by Andres Almonester, late Notary Public, dated May 5, 1781, by which it appears that he has cancelled the bond given by Josef Salon, in favor of the King..... No. 13

The bell rang for the afternoon prayer, at 5 o'clock, therefore the taking of the inventory was suspended to be resumed later, on request.

The inventory was continued on September 30th. The first entry is a note signed by Mr. Arman, in favor of the deceased, dated July 6, 1784, for 26 bull tongues..... No. 14

A private sale made by Martin Navarro, in favor of the deceased, for 2 negroes purchased, dated March 15, 1779..... No. 15

A contract made with Martin Navarro, Intendant General of this Province, in favor of His Majesty, to furnish tar for Havana..... No. 16

A certified copy of the act of sale to acquire the main house, executed before Juan B. Garic, late Notary of this Province, in favor of the deceased, dated December 20, 1778..... No. 17

Another for the said house, drawn up in favor of the deceased by Cler Dubuclet, acting for Maria Marta de Vens, Widow Benvenu (Devince, Widow Bienvenu), before Leonardo Mazange, late Notary Public, dated December 18, 1779..... No. 18

A receipt issued in favor of the deceased by Antonio Ramis, dated January 20, 1779, for 211 pesos 2 reales..... No. 19

A note drawn up by Carlos Lucheche for 46 pesos 2 reales, dated November 20, 1779..... No. 20

A statement signed by Mauricio Rondino (Rondineau) by which he acknowledges that the deceased was interested in a box of feathers he delivered to the said Rondino to be sold in France..... No. 21

A sale made by Luis Buadore (Boisdoré), in favor of the deceased, dated January 6, 1784..... No. 22

A receipt, issued in favor of the deceased by Francisco Blache, in the name of Juan Prieto, Keeper of the Stores, for 200 barrels of liquid tar delivered to His Majesty's Brigantine, the Santa Teresa, dated May 1, 1784..... No. 23

A certification given by Carlos de la Cherche (Chaise), in favor of the deceased, in which it appears he removed 244 barrels of liquid tar from the Royal Stores..... No. 24

A receipt issued by Joseph Chalon, in favor of Juan Bentura Morales, for 500 pesos, on account, for the houses he built in Barataria..... No. 25

Four receipts signed by Messrs. Blache and and Lariu, in the name of Juan Prieto, Keeper of the Stores, for 1½ barrels of pitch, not liquid tar.....Nos. 26-27-28-29

Another receipt signed by Mr. La Riu, in the name of Juan Prieto, for 1 barrel of lime..... No. 30

A note signed by Nicolas La Mat (La Mothe), in favor of the deceased, dated year 1773, by which he obligates himself to deliver 5 mules and 1 mare.. No. 31

A note for 82 pesos 1 real, signed by Mauricio Rondino, in the name of Gilberto Antonio Maxent, dated October 27, 1774..... No. 32

A note signed by Antonio Juen in favor of Juan Bautista Pafore (Poeyfarré), for 102 pesos 5 reales, the full amount paid by the deceased according to the request on the back..... No. 33

A private act of sale, executed in favor of the deceased by Bernardo de Otero, for 2 slaves that were sold to him, dated December 24, 1781.... No. 34

An obligation in favor of the deceased, signed by Juan Milon for 250 barrels of liquid pitch, by agreement the said deceased was to have the barrels washed..... No. 35

A current account of the deceased with Santiago Meder (Mather), with the latter's order for 579 pesos 1½ reales drawn on Juan Bautista Macarty..... Nos. 36-37

A receipt signed by the deceased, in favor of Juan Ventura Morales, for the full amount due for freight charges for 2 voyages made to Mobile, with the schooner, the Diligente, at the rate of 300 pesos for each trip, and a letter from Henrique Grimare which serves as a certificate..... Nos. 38-39

15 notes signed by Vizente Viltz, all added together amount to 73 barrels of lime, running from.....Nos. 40 to 54

A receipt signed by the deceased, in favor of Juan Prieto, Keeper of the General Stores, for 47½ barrels of rice for the families at Barataria; this debt seems to have been paid by Juan Ventura Morales, last year..... No. 55

A receipt signed by the deceased, in favor of Juan Ventura Morales, for 500 pesos belonging to the treasury of the Poblacion, dated January 5, 1783..... No. 56

Another, in favor of the abovenamed gentleman, for 48 barrels of corn at 3 pesos each..... No. 57

Another, signed by the deceased in favor of the above named gentleman, dated August 10 of the said year, for 400 pesos. Enclosed in this is another receipt signed by Francisco Blache for Juan Prieto's part for 200 pesos, dated August 17, 1784..... No. 58

The inventory is suspended here and resumed in the afternoon. The first entry reads:

A receipt, signed by the deceased, in favor of Mr. Olibre, for 10 barrels of maise, in grain, for the families of Barataria..... No. 59

Another, signed by the deceased, in favor of Juan Ventura Morales, for 300 pesos, dated May 7, 1780..... No. 60

A bill presented to the deceased by Mariana Bure for various provisions for the families of Barataria, the full amount appears to have been paid by Juan Ventura Morales, in accordance with an order drawn upon him by the said deceased.... No. 61

Another receipt signed by the deceased, in favor of Bernardo Otero, for 450 pesos..... No. 62

A receipt, signed by the deceased, in favor of Juan Ventura Morales, for 460 pesos, dated September 29, 1780..... No. 63

Another issued by the said deceased, in favor of Juan Ventura Morales, for 90 pesos, on account, for rations for the families in Barataria, dated January 9, 1779..... No. 64

A receipt for 25 barrels of maise, in grain (shelled corn), for the families of Barataria, dated May 23 (year not given)..... No. 65

Another, signed by the deceased, in favor of Juan Ventura Morales, for 472 (pesos)..... No. 66

A receipt given by Joseph Chalon, in favor of Juan Ventura Morales, for 227 pesos, in full payment for repairing the cabins in Barataria..... No. 67

Another granted by the deceased, in favor of Bernardo de Otero, for 460 pesos..... No. 68

A receipt, signed by the deceased, in favor of Josef Faiser (Taiser), for 400 pesos for assistance given to the families of Barataria..... No. 69

Another, signed by the deceased, in favor of Bernardo de Otero, for 470 pesos belonging to Barataria..... No. 70

Another in favor of Juan Ventura Morales, belonging to the said Poblacion, for 472 pesos..... No. 71

A receipt, in favor of Bernardo de Otero, belonging to the said Poblacion, for 1600 reales..... No. 72

The proceeding is suspended here, because there are no other movables to appraise, in this house, to be continued on the following day at the plantation, on the Bayou. Every item listed above is placed in Pedro Bertonière's charge. He signed a formal receipt for same, together with the officials and interested parties who were present at the taking of the inventory.

Proceedings on leaving the city for the plantation.

In the city of New Orleans, on October 1, 1784, at about 7 o'clock in the morning, the Escribano attests that he left the city accompanied by Juan Estevan Boré, Junior Alcalde Ordinario, Pedro Bertonière, Public Attorney, Antonio and Agustin Juen, Josef Adrien de la Place and Guillermo Guinan, appraisers, for the plantation, which forms a part of Andres Juen's estate, to take an inventory, as ordered by the decree on page 25, and in testimony whereof he sets this down as a matter of record, to which the Escribano attests. (Signed) Boré, G. Guignan, Pedro Bertonière, Adriano Jh. de la Place, Perdomo.

Proceedings upon arriving at the plantation.

The Escribano attests that they arrived at the plantation, already mentioned, at about 8 o'clock in the morning of the said day. Those present included the Judge of this cause and all interested parties. In testimony whereof he sets this down as a matter of record, to which he attests. Signed as above.

Inventory and appraisement.

Immediately after arriving, Estevan Boré, Junior Alcalde Ordinario for this city and its jurisdiction for His Majesty, accompanied by Pedro Bertonière, Public Attorney, acting for Francisco Maria de Reggio, executor, guardian of the estate and heir to the deceased Andres Juen, Antonio and Agustin, legatees, Joseph Adrian de la Place and Guillermo Guignan, appraisers, His Honor ordered them to proceed with the making of the inventory and valuation of the said plantation, before the Escribano, in the following manner:

First, they entered 14 new straw stools which were valued at	16 pesos
Another 7, the same, much used	5 – 4
9 copper-plate engravings	9 –
2 small walnut tables	5 –
1 dining table with 6 benches	3 –
8 chintz curtains, with their iron rods	10 –
1 medium-sized water jar	10 –
14 Cooper's knives	10 –
4, the same	3 –
3 hammer ends and 1 short stave	3 –
3 hand saws	4 –

1 ball, 2 dogs and 2 hammers	4 –
1 crowbar	1 –
1 stave brush	2 –
1 pair of fetters	2 –
6 large augers	1 – 4
Several old iron brands	1 –
12 pounds of lead for small drag-nets	1 – 4
2 iron chains	16 –
4 large saws	15 –
9 axes and 2 rafters	13 –
7 shovels and 3 hoes, all old	5 –
1 jack	14 –
11 pots with 90 rests	13 –
6 silver spoons, 6 forks and 1 ladle	40 –

Negroes

1 negro named Possi, of the Mina tribe, aged about 25 years	400 pesos
1 named Maturen, a creole of this Province, aged about 45	350
1 named Bautista, of the Mandringa tribe, a caulker by trade, aged 45 years	450
1 named Nectuno (Neptune ?), English, aged 40, a carpenter by trade	500
1 called Luis, a creole of this Province, aged 55	280
Joseph, also a creole, aged 55 years	300
Juan, aged 30 years, English, a cooper	600
Aquiles (Achilles), a Congo negro, aged 55, a caulker	350
Agustin, a Mandringa negro, aged 28	400
Santiago, belonging to the Chamba tribe, aged 18 years	400
Sem, English, aged 17	400
Ignacio, a creole, aged 35	400

The taking of the inventory is suspended, and resumed in the afternoon with the following entries:

A negro named Tombro, a creole of this Province, aged 22	250
Luis, a creole, aged 50	300
A negress, Marta, of the Ibri or Ibu tribe, aged 40 years	200
Another, named Liva, aged 83, untrained	80
A negro, Lorenzo, a creole, aged 50	300
5 caldrons and some gridirons	8
Some ropes and a block pulley on the Bank of the Bayou	24
1 cot with a mattress and mosquito bar	10
4 dozen plates	8

25 dishes..... 3–4
2 pitchers, 26 dishes, 26 glasses..... 11
4 large saws..... 8
1 plantation, on the Bayou, measuring 8 arpents front by 80 deep, adjoined on one side by Mr. Allar (Allard's) lands and on the other by Mr. Maxent's place. A brick dwelling-house has been built on this plantation, together with a frame kitchen, three cabins for the negroes, a new store-room which serves as a cooperage, and another old one where utensils are kept.....1100
1 small armoire..... 2
51 barrels of liquid pitch..... 102
1 schooner without masts and spars.....1000
3 sails for the said schooner with cordage and an anchor..... 200
The ribs of a ship..... 60
1 old bark with its tackle and rigging..... 120
1 pirogue 14 feet long and 2½ wide..... 16
2 Heifers..... 100
5 Bulls..... 150
2 mules..... 80
2 Terrenos (terneros ?) calves at 28 pesos.

This proceeding is suspended until the following morning, October 2, 1784, with the first entry reading:

1 cow and her calf..... 30
1 horse and cart..... 55
57 planks..... 60
150 empty barrels..... 110
80 the same, that have been begun..... 30
1 saddle horse..... 40

The taking of the inventory ended here, as there was nothing more to enter. It was resumed later on the same day.

Inventory and appraisement of the negroes at the Lake.

On the said plantation, on the same day, month and year, was entered:

A negro named Morpin, aged 55, a caulker by trade..... 250
Jacob, aged 50 years, a creole, valued at..... 450
Juan, of the Sinigal (Senegal) tribe, aged 25.. 500
Pedro, of the Ganga tribe, aged 25..... 500
Batista, a Congo negro, aged 20..... 500
Carlos, of the Tenna tribe, aged 30 years..... 500
Jupiter, aged 56 years, lacking both hands.... 150
Pirani, from Guinea, aged 40, a blacksmith's apprentice..... 400

9 oxen	270
19 dry cows and heifers	380
5 sheep (?), valued at	48
	3948 Pesos

At this stage, because there were no other negroes to appraise, His Honor ended these proceedings, giving all the foregoing items into the keeping of Pedro Bertonière, who signed a formal receipt for same, with Alcalde Boré and all interested parties.

Proceedings for returning to the city.

On the said day, month and year (October 2, 1784), the Escribano attests that he left the late Andres Juen's plantation at 5 o'clock in the afternoon, accompanied by Estevan Boré, Judge of this case, and all other parties connected with it. They arrived in the city at half past five, and in testimony whereof he sets this down as a matter of record. (Signed) Boré, Adriano Josef de la Place, G. Guignan, Pedro Bertonière, before Rafael Perdomo.

Note.

In the examination of the papers and utensils of the inventory two assistances must be noted. In testimony whereof he sets this down as a matter of record. (Signed) Perdomo.

Taxation of Costs.

On February 20, 1785, Luis Lioteau taxes the costs of this case at 172 pesos 4 reales.

September 23.

Proceedings brought by the negro, Valentin, to obtain the freedom of his brother, Silvestre, belonging to the estate of Andres Juen, for the price of his valuation.

No. 119. 29 pp.

Court of Alcalde Estevan Boré.

No Assessor.

Escribano, Rafael Perdomo.

This proceeding, which is connected with the preceding suit, illustrates the legal procedure involved in purchasing the freedom of a slave. The fact that the petitioner is a free Negro who is requesting permission to purchase his

This suit is a continuation of the one above. It opens with a petition presented by the free negro, Valentin, in which he sets forth that he has a brother, Silvestre, who belongs to the Andres Jung (Juen) Succession. This slave was appraised at 300 pesos, in the inventory of the property. The plaintiff, wishing to remove him from the state of servitude, offers to buy his freedom for this sum, which he will promptly pay for this purpose. Therefore he prays His Honor to order the necessary act of emancipation drawn up for such ends, just as soon as this said sum is de-

brother, a slave belonging to the succession, at the valuation placed upon him in the inventory of the estate, is of special interest. The residuary legatee of the succession, being unwilling to free the slave for the price placed upon him in the inventory, the Court appoints two appraisers to place a valuation upon said slave. When these two appraisers are unable to agree, the Court appoints a third arbitrator who gives his estimation of the value of the slave, after which the petitioner pays this sum and the Court orders the slave emancipated.

livered. Esteban Boré rules: Send this petition to Francisco Maria de Reggio.

Procuration.

The next entry is a certified copy of the power of attorney, dated September 15, 1784, by which Francisco Maria de Reggio appoints Pedro Bertonière to represent him in all legal matters appertaining to the Andres Jung succession.

Francisco Maria de Reggio refuses to sell at the price offered.

The defendant answers, stating that he will not sell Silvestre at the price placed upon him in the inventory. A new estimate will have to be made according to use and practice, because an appraisement made in an inventory is nothing more than a legal formality taken so as not to cause confusion at the auction sale, usually held of the effects left by the decedent. Therefore a negro valued at 300 or 500 pesos will bring 800 to 1000 pesos at public sale, upon consideration of the different talents he might possess, which naturally will not have been noted by the appraisers, therefore, wishing to profit by the rights that the law allows him in such cases, may it please the Court to reject the claims of the said free negro and order a new appraisement made by experts versed in such matters, who will be named to represent each one of the interested parties. Alcalde Boré rules: Let this petition be sent to the plaintiff.

Valentin answers, offering no objection to the new appraisement.

Valentin answers, through Antonio Mendes, Public Attorney, stating he has received the defendant's last representation, in which he opposes granting freedom to Silvestre at the price of his valuation, and also requesting a new appraisement. In answer, he wishes to say he offers no objections to this proposition. However, before naming appraisers to make this new estimate, he prays the Court to order his brother examined by Dr. Josef Montegut, Surgeon of the Regiment of Infantry of this place, who will certify, at the end of this proceeding, upon seeing and examining the slave, whether he suffers from any infirmity and the exact state of his health. And done deliver his certification to the petitioner. Etienne Boré orders this request sent to Francisco Maria de Reggio.

The Defendant agrees to the medical examination.

Francisco Maria de Reggio answers, saying that to avoid any obstruction to this cause, let them proceed with the examination requested by the negro. Therefore may it please the Court to approve the appointment of the abovenamed Medical examiner and he, for his part, offers Dr. Juan Senac, Surgeon of this Province. Alcalde Boré receives this petition and on October 18, 1784, decrees: Whereas,

Decree.

let the physicians named by both parties certify to any infirmities from which the slave might suffer and attach the said certifications to these records, and done deliver them to the plaintiff.

Dr. Joseph Montegut's certification.

Dr. Joseph Montegut, Surgeon of the Royal Hospital of this Place, etc., certifies that in virtue of the foregoing decree, rendered by Estevan Boré, Alcalde Ordinario of this city, he visited the negro, Silvestre, belonging to the Andres Jung succession, and has found a dislocation of the knee of the right leg which prevents him from making the necessary movements. In testimony whereof he signs this in the city of New Orleans, on October 19, 1784. (Signed) Jh. Montegut.

Dr. Juan Senac certifies.

I, the undersigned, Surgeon of this city, have seen and examined Silvestre, the negro carpenter, belonging to Mr. Jung's succession, and after said examination I find a dislocation of the knee that may have been caused by a rupture of the articular ligament of same, although it is true that an inner and outer dislocation may take place without a rupture. I think when all suitable precautions have been taken, perhaps it will be possible to reduce this dislocation by making new attempts, applying extensive force and holding the muscular parts in a state of exact flexion. It will then be possible to obtain a further reduction by the use of a proper bandage and exacting a complete rest for the sick man. And notwithstanding that all means have been employed, I do not claim that the movements of articulation have not been injured somewhat and that it may be inconvenient for him to support himself, because he has wholly abandoned his trade, and considering that particular experience and books on the subject prove there is a fracture of the knee that may cause a slight limp in walking, when reduction has not been maintained, however, the leg will be almost as it was in the natural state even though there may be some little difficulty in articulation. I consider the movements of the sick man as but slightly injured, although the knee is floating in the superior and inferior parts with some puffiness, but by a relaxation of the capular ligaments will

show the possibility of a reduction if a mustard plaster is not applied either on the swelling or the other part affected. I do not consider him totally crippled, as already stated above, and what I here certify is the truth. Done in New Orleans, this day, October 26, 1784. (Signed) Jean Senac.

Valentin petitions to name appraisers.

The plaintiff petitions to say the records of the case have been delivered to him, as he requested in his foregoing representation, so that upon seeing them he may promote what is convenient to his right, in consequence of which and so that the demands of Francisco Maria de Reggio to make a new estimate may have effect, he names Josef Adrian de la Place as his appraiser, who must be notified for his acceptation and oath, and that the defendant also be notified to appoint his appraiser within one day, and in his default to name one for him officially. Alcalde Boré rules: Let the appraiser above mentioned he appointed; he must be notified so that he may accept and take oath. The other party must also be notified to elect a suitable appraiser to represent him, and in his default proceed with an official appointed.

Notification, acceptation and oath.

On the said day, month and year (September 26, 1784), the Escribano personally notified Adriano de la Place of the foregoing decree, and in obedience to same he said he accepted and did accept and swore by God and the Cross, according to law, to perform the duties of his charge, well and faithfully, without injury to the party, and he signed, to which the Escribano attests.

The defendant petitions to name his appraiser.

Francisco Maria de Reggio petitions to say that in order to proceed with the appraisement of Silvestre he names Estevan Plauche, a person versed in such matters, and prays the Court to confirm the appointment and to decree that they proceed with the estimation. Estevan Boré rules: The appraiser having been named, let him be notified for his acceptation and oath, and done return the matter to the Court.

Notification, acceptation and oath.

On the said day, month and year, the Escribano notified Estevan Plauche, in person, of the foregoing decree, and in consequence thereof he said he accepted and did accept the appointment that has been made, and he swore by God and the Cross, according to law, to fulfill the duties of his charge, well and faithfully, without injury to the party, and he signed, to which the Escribano attests.

The plaintiff asks to have the new appraisement made.

Valentin, the free negro, petitions to say that with the appraisers named above a just price may now be placed on his brother, therefore he prays it may please the Court to order the said appraisers to do so, after they have seen the certifications of the surgeons, filed with these records, and that this new appraisement be made before His Honor, of whom he asks to have the day and hour assigned for the purpose. Alcalde Boré receives this petition and on October 29, 1784, decrees: Whereas, let the experts named proceed with the appraisement on the second day of next November. They will have to appear in this Court for the purpose. Notify them that in the said act they must take into consideration the certifications that have been filed with this suit.

Decree.

Appraisement.

In the city of New Orleans, on November 2, 1784, Estevan Boré, Junior Alcalde Ordinario of the city and its jurisdiction for His Majesty, arrived in the Court Room accompanied by the Escribano, where there appeared before His Honor, Josef Adrian de la Place and Estevan Plauche, appraisers named to place a value on the negro, Silvestre, as provided in the foregoing act, who was also present. The Escribano made them repeat the oath they had already taken, after which they proceeded with the examination of the said negro, with all the care and attention the case required. They further considered the certifications filed in this cause on pages 14 and 15, instructing them literally about his condition, and having consulted together and discussed Silvestre's talents and the infirmity from which he actually suffers, as verified in these said certifications, they cannot come to an agreement upon the just value of this slave. Estevan Plauche appraises him at 1000 pesos and Josef Adrian de la Place at 500 pesos. His Honor ordered the proceeding suspended, and in consequence thereof and in virtue of his powers he will name a third in discord for a decision in this matter, and they signed with His Honor, to which the Escribano attests. (Signed) Jean Etienne Boré, Adrian Josef de la Place. Before Rafael Perdomo.

Francisco Maria de Reggio petitions the Court to name a third in discord.

The defendant petitions to say that the appraisers named to place a value on Silvestre cannot agree, therefore, so that the estimate may have effect, he prays the Court to name a third in discord to fix a just price for the slave. Alcalde Boré receives this petition and on November 4, 1784, decrees:

Decree.

Considering that the appraisers appointed have not agreed upon a just price for the slave, His Honor said that, using the

powers conferred on him as well as what has been represented by Francisco Maria de Reggio, he must name and does name Antonio de Jan, as a third in discord. Let him be notified, in the customary way, for his acceptation and oath. (Signed) Jean Etienne Boré.

Notification, acceptation and oath.

On the said day, month and year (November 4, 1784), the Escribano personally notified Antonio de Jan, and he said he accepted and did accept and swore by God and the Cross, according to law, to proceed well and faithfully with the estimate he has been ordered to make, and he signed, to which the Escribano attests.

Estimation.

In the city of New Orleans, on the said day, month and year, Estevan Boré, Alcalde Ordinario for this city and its jurisdiction, presiding in Court, there appeared before His Honor, Antonio de Jan (Jean), the third named in discord, to make an appraisement, as ordered by the foregoing decree, and having caused him to repeat the oath already taken in this particular, and placing on manifest the certifications given at the instance of the parties by the physicians respectively named by them, and having seen and examined Silvestre, he said that in fulfillment of the duties of his charge, to the best of his knowledge and understanding and without injury to either plaintiff or defendant, he must estimate and does estimate the abovesaid slave at 800 pesos, upon consideration of the reasons set forth by Drs. Montegut and Senac, in virtue of which he signed with Alcalde Boré, before Rafael Perdomo, Clerk of the Court.

Valentin asks to complete the sale for his brother's freedom.

The plaintiff sets forth that in consequence of a valuation of 800 pesos placed on his brother by the third in discord, he makes a real and physical exhibition of the amount stipulated, so that upon certification of its numeration and delivery by the present Escribano it may please the Court to order the drawing up of the necessary written act of emancipation, for which purpose he asks to have Francisco Maria de Reggio notified for its authorization. He further requests that a certified copy of this act be delivered to him and that a taxation of costs be made by Luis Lioteau, which he will promptly pay. Alcalde Boré decrees: The above stated sum having been exhibited, let the present Escribano certify to its numeration and delivery. Notify Francisco Maria de Reggio, so that upon receipt of the said amount he will execute the act of emancipation which this party requests, before the present Escribano, and done a decree will be rendered for the taxation of costs. Give the

plaintiff the certified copy he asks, upon the payment of all just and due fees. (Signed) Boré.

Exhibition of the 800 pesos.

In the city of New Orleans, on the said day, month and year (November 5, 1784), before the present Escribano, appeared the negro, Valentin, who exhibited the sum of 800 pesos, the amount at which Silvestre, his brother, has been estimated. Rafael Perdomo maintains this money in his keeping, at the disposition of the Court, and in testimony whereof he sets this down as a matter of record. (Signed) Perdomo.

Receipt.

In the city of New Orleans, on the said day, month and year, before Rafael Perdomo and witnesses, appeared Francisco Maria de Reggio, known to the Escribano, and he said he had received the 800 pesos from the latter, which Valentin exhibited, as may be proven from the foregoing certification. He acknowledges to have received this sum and draws up a receipt for same in due form, hereby relieving the said Escribano of all further responsibility, and he signs, the witnesses, here present, are Manuel Galvez, Francisco Carcasses and Manuel Monrroy. (Signed) Francisco Maria de Reggio, before Rafael Perdomo, Notary Public.

Notification, acceptation and oath.

On the said day, month and year, the Escribano personally notified Luis Lioteau, Public Taxer, and he said that he accepted and did accept and swore by God and the Cross, according to law, to proceed well and faithfully with the taxation he has been ordered to make, and he signed, to which the Escribano attests.

Taxation of Costs.

On November 2, 1784, Luis Lioteau taxes costs at 37 pesos 6 reales.

(To be continued.)